

# Exhibit L

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THE REPORTER: Going on the record at 9:37 a.m. And today is February 27th, 2023, and we are on the record. Did you all want to do the federal read on, or were you okay with waiving the Rule 30?

<p>2</p> <p>1 MS. PERALES: We'll waive.</p> <p>2 THE REPORTER: Okay.</p> <p>3 If all counsel and all parties please</p> <p>4 state their appearances and who they represent for the</p> <p>5 record?</p> <p>6 MS. PERALES: Good morning, my name is</p> <p>7 Nina Perales and I represent the Lupe plaintiffs,</p> <p>8 L-U-P-E.</p> <p>9 MS. HOLMES: Good morning, my name is</p> <p>10 Jennifer Holmes and I represent the Haul plaintiff's,</p> <p>11 H-A-U-L.</p> <p>12 MR. BIRRING: Good morning, I'm Sameer</p> <p>13 Birring and I represent the Harris County Election</p> <p>14 Administrator Clifford Tatum, in his official capacity.</p> <p>15 MR. WASSDORF: William Wassdorf for</p> <p>16 the Attorney General's Office representing State</p> <p>17 defendants.</p> <p>18 MR. GORE: Good morning, this is John</p> <p>19 Gore. I represent the intervenor defendants.</p> <p>20 MR. TAYLOR: My name is Andy Taylor.</p> <p>21 I do not represent any parties in this litigation, but</p> <p>22 I do represent the witness, Mr. Alan Vera, and I did</p> <p>23 have just one confirmation question. I was told that</p> <p>24 nobody in this proceeding today is going to audio tape</p> <p>25 or video tape what's happening, it's just everybody's</p>	<p>4</p> <p>1 ALAN VERA,</p> <p>2 Having been first duly sworn, was examined and</p> <p>3 testified as follows:</p> <p>4 MS. PERALES: And let's get our</p> <p>5 agreement on the record now, before we get started with</p> <p>6 me reintroducing myself to you.</p> <p>7 I will agree that an objection from</p> <p>8 any one of counsel on the defense side will serve as an</p> <p>9 objection for all. Now, under the Federal Rules, it's a</p> <p>10 form objections largely are the ones that we're are</p> <p>11 going to be having today. And I understand that you</p> <p>12 would like to have an agreement that simply saying form</p> <p>13 objection is sufficient.</p> <p>14 MR. WASSDORF: Correct.</p> <p>15 MS. PERALES: And the only thing that</p> <p>16 I would ask of you is if I don't understand perhaps</p> <p>17 what the form objection might be, I can ask for</p> <p>18 clarification.</p> <p>19 MR. WASSDORF: Absolutely.</p> <p>20 MS. PERALES: And is that the</p> <p>21 agreement of -- of counsel on the defense side?</p> <p>22 MR. GORE: Yes.</p> <p>23 MR. WASSDORF: Yes.</p> <p>24 MR. TAYLOR: Yes.</p> <p>25 MS. PERALES: Thank you.</p>
<p>3</p> <p>1 watching by Zoom but they're not actually taping or</p> <p>2 tape recording the Zoom, other than the court reporter</p> <p>3 who is -- is Here in the room, is that true?</p> <p>4 MS. PERALES: My understanding is that</p> <p>5 there maybe an audio recording by the court reporter</p> <p>6 service for the purpose of ensuring and accurate</p> <p>7 transcription, but we agreed in writing prior to this</p> <p>8 deposition that we would not video record --</p> <p>9 MR. TAYLOR: Okay.</p> <p>10 MS. PERALES: -- the deposition.</p> <p>11 MR. TAYLOR: And cause I'm the new guy</p> <p>12 here, it -- does that include all the participants who</p> <p>13 are watching?</p> <p>14 MS. PERALES: Well, I only speak for</p> <p>15 the Lupe plaintiffs, but perhaps we can get an</p> <p>16 agreement from counsel on the Zoom that they are not</p> <p>17 recording the deposition.</p> <p>18 MR. TAYLOR: That would be wonderful.</p> <p>19 MS. PERALES: If you could just put</p> <p>20 your agreement in the chat, that would be a big time</p> <p>21 saver.</p> <p>22 (All Zoom counsel agreed in chat.)</p> <p>23 MS. PERALES: Okay. I think we've got</p> <p>24 everyone. I can check the chat on the break too.</p> <p>25 Swear swear affirm.</p>	<p>5</p> <p>1 DIRECT EXAMINATION</p> <p>2 BY MS. PERALES:</p> <p>3 Q. Good morning, Mr. Vera.</p> <p>4 A. Good morning.</p> <p>5 Q. Earlier you heard me introduce myself, I'm</p> <p>6 Nina Perales and I represent a group of plaintiffs</p> <p>7 called the Lupe plaintiffs. Everybody else has</p> <p>8 introduced themselves already, and so I'll just go</p> <p>9 ahead and start asking you some of the preliminary</p> <p>10 questions in this deposition.</p> <p>11 My first question is, have you ever</p> <p>12 been deposed before?</p> <p>13 A. No, I have not.</p> <p>14 Q. All right. So since this is your first voyage</p> <p>15 into a deposition I'm going to go through some of the</p> <p>16 ground rules with you.</p> <p>17 You have just taken an oath to tell</p> <p>18 the truth and that's subject to federal penalties. So</p> <p>19 it's important to answer my questions truthfully,</p> <p>20 accurately, and completely; do you understand?</p> <p>21 A. I do.</p> <p>22 Q. Now, do you understand that your oath to the</p> <p>23 tell the truth today is the same as if you were</p> <p>24 testifying in front of a judge in the courtroom, in the</p> <p>25 sense that you're oath is to speak the truth?</p>

<p>14</p> <p>1 A. Marketing consulting.</p> <p>2 Q. Okay. Can you briefly describe for me your</p> <p>3 current involvement with the Harris county republican</p> <p>4 party?</p> <p>5 A. I am a volunteer. I serve as chairman of the</p> <p>6 Harris County Republican Party Ballot Security</p> <p>7 Committee, that is an unpaid unreimbursed position.</p> <p>8 Q. I'm going to circle back to, to more details</p> <p>9 about the Ballot Security Committee. So I'm just going</p> <p>10 to put a pin in that and ask if you hold a membership</p> <p>11 in other political organizations besides Harris County</p> <p>12 Republicans?</p> <p>13 A. I am on the board of directors of a -- an</p> <p>14 election integrity organization called Texas Election</p> <p>15 Network.</p> <p>16 Q. Any other membership in other political</p> <p>17 organization?</p> <p>18 A. Give me a second. None that I can recall at</p> <p>19 this time.</p> <p>20 Q. Do you hold membership in any other types of</p> <p>21 associations besides political organizations; such as a</p> <p>22 fraternal, or I don't know, maybe you serve on your</p> <p>23 neighborhood, you know, homeowners association or</p> <p>24 anything like?</p> <p>25 A. No, we are members of Freedom Street Rescue.</p>	<p>16</p> <p>1 A. I have.</p> <p>2 Q. Tell me about that?</p> <p>3 A. I served as a Poll watcher in several smaller</p> <p>4 and local elections, usually on the May Uniform</p> <p>5 Election Day. And I was asked to serve as a Poll</p> <p>6 watcher for the 2015, I believe 2015 Cy-Fair ISD bond</p> <p>7 election. The first of billion dollar bond election in</p> <p>8 Texas.</p> <p>9 Q. School bond?</p> <p>10 A. School bond.</p> <p>11 Q. Have you ever been a block walker or</p> <p>12 sometimes referred to as a canvasser for either a</p> <p>13 political candidate or for turn out the vote effort?</p> <p>14 A. I believe years ago maybe as many as 10 years</p> <p>15 ago I assisted my precinct chair to block walk our</p> <p>16 neighborhood and leave flyers hanging on doorknobs.</p> <p>17 Q. And do you remember what that was in support</p> <p>18 of, or against?</p> <p>19 A. It was in support of the republican ticket.</p> <p>20 Q. Okay. And did the door hangers then have the</p> <p>21 names of the candidates that were on the ticket?</p> <p>22 A. If I remember correctly, they did.</p> <p>23 Q. Can you think of any other occasions where</p> <p>24 you were going door to door from house to house for</p> <p>25 either a candidate or some kind of campaign?</p>
<p>15</p> <p>1 We foster abandon puppies.</p> <p>2 Q. I think I would have 20 dogs if I did that.</p> <p>3 A. Last Thursday we had 11.</p> <p>4 Q. 11. And are the -- any of them fosters at</p> <p>5 this point or have you just --</p> <p>6 A. Seven of those are fosters, they've all</p> <p>7 arrived at their new homes in New England.</p> <p>8 Q. Wonderful. Any other organizations that you</p> <p>9 can think of?</p> <p>10 A. None that I can think of.</p> <p>11 Q. Okay. Are you a registered voter in Harris</p> <p>12 County?</p> <p>13 A. I am.</p> <p>14 Q. Have you ever served as an election judge at</p> <p>15 the polling place?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Okay. Tell me about that, how?</p> <p>18 A. From 2010 to 2013, I served as the alternate</p> <p>19 presiding judge at Wesley Elementary School in</p> <p>20 Congressional District 18. I think five, seven</p> <p>21 elections total.</p> <p>22 Q. Did you serve as a Poll worker for any other</p> <p>23 period of time besides this one?</p> <p>24 A. No ma'am.</p> <p>25 Q. Have you ever served as a poll watcher?</p>	<p>17</p> <p>1 A. No, I can't.</p> <p>2 Q. When you did this effort about 10 years ago</p> <p>3 did you knock on doors and engage with voters?</p> <p>4 A. We knocked on doors, waited for a voter to</p> <p>5 answer, if the voter didn't answer we simply left the</p> <p>6 hanger, if a voter answered we introduced ourselves and</p> <p>7 explained, the candidates for whom we were campaigning.</p> <p>8 Q. So you had the chance to have some</p> <p>9 face-to-face interaction with voters?</p> <p>10 A. Some.</p> <p>11 Q. Other than the -- so let me just ask you, do</p> <p>12 you -- is the phrase that you're most comfortable with</p> <p>13 block walking or canvassing or something else?</p> <p>14 A. In my mind those are two different functions</p> <p>15 block walking is a political activity to gain support</p> <p>16 for candidate or issue in my mind. Canvassing is</p> <p>17 asking questions and getting information.</p> <p>18 Q. Okay.</p> <p>19 A. So in my mind, which is sometimes strange,</p> <p>20 those are two slightly different issue.</p> <p>21 Q. Have you ever done canvassing?</p> <p>22 A. I have not personally.</p> <p>23 Q. Okay. So besides that block walking effort</p> <p>24 that you described, have you ever worked on the</p> <p>25 campaign of a political candidate or for a political</p>

<p>18</p> <p>1 issue?</p> <p>2 A. Not since 2014.</p> <p>3 Q. And tell me about that, in 2014 in what way</p> <p>4 did you work on a political campaign --</p> <p>5 A. In 2014 before I came chair of the Harris</p> <p>6 County Republican Party Ballot Security Committee, I</p> <p>7 handed out campaign literature for Dan Patrick.</p> <p>8 Q. And where did you handout the campaign</p> <p>9 literature?</p> <p>10 A. In my neighborhood.</p> <p>11 Q. And you went door to door?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. Is that different from the --</p> <p>14 A. Same thing.</p> <p>15 Q. -- same thing?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Okay. So besides the handing out of the</p> <p>18 campaign material in the block walking effort, have you</p> <p>19 worked on any other campaigns either, maybe making</p> <p>20 phone calls from a central location to urge voters to</p> <p>21 turn out or --</p> <p>22 A. Yes.</p> <p>23 Q. -- other types of campaign activity?</p> <p>24 A. I can't recall anything beyond what I've</p> <p>25 already described to you.</p>	<p>20</p> <p>1 County Republican bylaws, Ballot Security is</p> <p>2 responsible for promoting election integrity and in all</p> <p>3 the activities that support that. So that would</p> <p>4 include discipline on voter registration, recruiting</p> <p>5 and training of Poll watchers. In prior years we were</p> <p>6 also responsible for recruiting election workers, but</p> <p>7 we have surrendered that in the last two cycles, to the</p> <p>8 party staff; supporting good election legislation as</p> <p>9 guided by the executive committee and testifying when</p> <p>10 possible in support of good election legislation.</p> <p>11 Q. I'm just catching up. You mentioned</p> <p>12 discipline on voter registration, to you mean the voter</p> <p>13 registration conducted by the Harris county republican</p> <p>14 party or voter registration in a bigger sense?</p> <p>15 A. Thank you for the clarification. We observe</p> <p>16 and monitor Harris county's voter registration's roles.</p> <p>17 Q. Does the Harris County republican party</p> <p>18 conduct voter registration efforts of they own?</p> <p>19 A. I believe they do, but I am not a part of</p> <p>20 that.</p> <p>21 Q. You mentioned in prior years that you used to</p> <p>22 recruit election workers, but you had surrendered that</p> <p>23 to party staff in the last two election cycles; is that</p> <p>24 right?</p> <p>25 A. That is correct.</p>
<p>19</p> <p>1 Q. Okay. Do you know if you'll be testifying in</p> <p>2 this case?</p> <p>3 A. I do not know.</p> <p>4 Q. Okay. I'm going to ask you a couple questions</p> <p>5 now about the Ballot Security Committee. You mentioned</p> <p>6 that before you became involved with the Ballot</p> <p>7 Security Committee you were handing out the campaign</p> <p>8 material for the republican ticket and you mention that</p> <p>9 was probably about 10 years ago.</p> <p>10 So tell me whether your involvement</p> <p>11 with the Ballot Security Committee then was at the time</p> <p>12 of the creation of the Ballot Security Committee?</p> <p>13 A. No, ma'am. It was not. Ballot Security</p> <p>14 Committee had been created at least 15 years prior to</p> <p>15 my taking the chairmanship in 2014.</p> <p>16 Q. Okay. If you could for me summarize the --</p> <p>17 are you still chair of the Ballot Security Committee?</p> <p>18 A. I still am.</p> <p>19 Q. And as chair you're familiar with the</p> <p>20 activities of the Ballot Security Committee?</p> <p>21 A. Yes.</p> <p>22 Q. Can you tell me in a sort of summary fashion,</p> <p>23 the various activities of the Ballot Security</p> <p>24 Committee?</p> <p>25 A. As described in the Republican -- Harris</p>	<p>21</p> <p>1 Q. And when you say party staff, who -- who is</p> <p>2 that?</p> <p>3 A. These are paid employees who work for the</p> <p>4 party.</p> <p>5 Q. And so it's their function now to collect</p> <p>6 names and submit them to the Harris County elections</p> <p>7 for vetting for Poll workers?</p> <p>8 A. That is correct.</p> <p>9 Q. Okay. Tell me how you recruit and train Poll</p> <p>10 watchers?</p> <p>11 A. The recruiting takes many forms. I am a</p> <p>12 frequent speaker at political organizations. We run</p> <p>13 notices for Poll watchers in the county party news</p> <p>14 letter and online. The ballot security committee</p> <p>15 members are also encouraged to reach out in their</p> <p>16 neighborhoods and find people in serving as Poll</p> <p>17 watchers. Training Poll watchers I do personally, no</p> <p>18 one else hands that. It is a two hour class in person</p> <p>19 with a test at the end and except for the 2020 COVID</p> <p>20 year it has never been an online class. It's always</p> <p>21 been in person.</p> <p>22 Q. When was the most recent training that you</p> <p>23 conducted?</p> <p>24 A. Most recent training was October of 2022.</p> <p>25 Q. Okay.</p>

<p style="text-align: right;">22</p> <p>1 A. I did 17 classes that summer into the fall.</p> <p>2 Q. When you're doing the training in the two</p> <p>3 hour class, do you use any kind of materials of any</p> <p>4 sort?</p> <p>5 A. There are two kinds of materials, there is a</p> <p>6 PowerPoint presentation which technically belongs to</p> <p>7 the Harris County Republican Party, I created that for</p> <p>8 them. And there Poll watcher guide book which I hand</p> <p>9 at no charge to every student.</p> <p>10 Q. You mention the PowerPoint presentation</p> <p>11 belongs to Harris County, are you the author of the</p> <p>12 PowerPoint?</p> <p>13 A. I am.</p> <p>14 Q. Okay. And the Poll watcher guide book, who is</p> <p>15 the author of that?</p> <p>16 A. The original one? My wife Colleen. It's</p> <p>17 been updated after every legislative session because</p> <p>18 the code changes.</p> <p>19 Q. And who does the updating?</p> <p>20 A. I'm -- I do it now, unfortunately.</p> <p>21 Q. Where do you do the trainings for the Poll</p> <p>22 watchers?</p> <p>23 A. All over the county, Whenever possible in</p> <p>24 county owned buildings. We have community centers that</p> <p>25 the Harris County Government has set up. Whenever</p>	<p style="text-align: right;">24</p> <p>1 Q. So do people just, you call out the questions</p> <p>2 and people raise their hands and call the answers?</p> <p>3 A. Correct, uh-huh.</p> <p>4 Q. Do you have the test written down in front of</p> <p>5 you?</p> <p>6 A. It's on the PowerPoint slides?</p> <p>7 Q. Okay. And so you just know at the end which</p> <p>8 questions to call out for people to make sure?</p> <p>9 A. There are 20 questions, they appear in</p> <p>10 sequence on the slides.</p> <p>11 Q. Oh, I see. So there's something at the very</p> <p>12 end of the PowerPoint that has the questions?</p> <p>13 A. Correct.</p> <p>14 Q. Understood. When you update your PowerPoint</p> <p>15 for a training, do you save the PowerPoints from</p> <p>16 before?</p> <p>17 A. I don't remember. I think so, I don't think I</p> <p>18 delete them from my laptop.</p> <p>19 Q. Okay. So for example if you wanted to</p> <p>20 compare what your training looked like before SB 1 and</p> <p>21 after SB 1 would you be able to go --</p> <p>22 A. I could do so. Yes, ma'am.</p> <p>23 Q. Okay. Thank you.</p> <p>24 MR. TAYLOR: Mr. Vera, let her</p> <p>25 completely finish her question, you're anticipating it</p>
<p style="text-align: right;">23</p> <p>1 possible we conduct the training in those publicly</p> <p>2 owned centers.</p> <p>3 Q. So do you bring with you your laptop with the</p> <p>4 PowerPoint on it?</p> <p>5 A. I do.</p> <p>6 Q. Do you have like a little projector?</p> <p>7 A. A projector is usually provided by the</p> <p>8 facility, but there have been times that I brought a</p> <p>9 spare, thank God.</p> <p>10 Q. And you mention that the guide book that you</p> <p>11 provide at no cost, does that mean that you personally</p> <p>12 make the photo copies?</p> <p>13 A. In 2022 the County Republican Party paid for</p> <p>14 the reproduction of the guide books.</p> <p>15 Q. Okay. And are -- are the trainees allowed to</p> <p>16 take that guide book home with them after they're done?</p> <p>17 A. They take them home with them and encouraged</p> <p>18 to take them with them to the Polls.</p> <p>19 Q. Now you mention a test at the end, is that a</p> <p>20 written test?</p> <p>21 A. It's not a written test, it's an oral. It's</p> <p>22 a review.</p> <p>23 Q. And then is that conducted with the group as</p> <p>24 a whole?</p> <p>25 A. It's conducted with the group as a whole.</p>	<p style="text-align: right;">25</p> <p>1 ever so slightly.</p> <p>2 THE WITNESS: Thank you. Thank you.</p> <p>3 Q. (BY MS. PERALES) Okay. Next on my list is</p> <p>4 supporting legislation related to election integrity</p> <p>5 and I would like to know what activities fall under</p> <p>6 that topic?</p> <p>7 A. The primary activities that fall under that</p> <p>8 topic is providing our Harris County republican</p> <p>9 representatives with lists of items in the election</p> <p>10 code that need to be addressed, and then testifying in</p> <p>11 the Senate and house committees that are hearing any</p> <p>12 bills written to those lists of suggestions.</p> <p>13 Q. When you provide the lists, do you generally</p> <p>14 prepare that in written form?</p> <p>15 A. It varies. There are some meetings in which I</p> <p>16 have a list typed up and copied, others are simply</p> <p>17 verbal discussions over a cup of coffee.</p> <p>18 Q. You mentioned Harris County legislators?</p> <p>19 A. Republican legislators, sorry.</p> <p>20 Q. Yes, of course. Does that include House and</p> <p>21 Senate?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. Okay.</p> <p>24 MS. PERALES: I'm sorry, should we</p> <p>25 take a break?</p>

<p>26</p> <p>1 MR. TAYLOR: No, no, no, I was just 2 making a point -- nothing about what you all are doing. 3 MS. PERALES: Sorry. Just let me know 4 if you're going to need a break. 5 Q. (BY MS. PERALES) And we were talking about 6 Harris County Republican, let's start with members of 7 the House. With whom have you met who is currently in 8 the house or with whom have you communicated who's 9 currently in the House about goals for ballot integrity 10 legislation? 11 MR. TAYLOR: Let me just hop in for a 12 quick second. My job here is just to protect 13 attorney-client privilege and that's it. But if you're 14 going to ask questions that might be involved with 15 legislative privilege or something like that, I -- I'm 16 going to defer to the other lawyers who represent other 17 parties, I just want to make that clear. 18 MS. PERALES: Understood. 19 MR. TAYLOR: Okay. 20 A. It -- it varies by session. In preparation 21 for the current session, the republican party of Harris 22 County hosted a luncheon and every one or our Harris 23 County Republican State Representatives and Senators 24 attended. 25 Q. (BY MS. PERALES) Okay. And at that luncheon</p>	<p>28</p> <p>1 MR. WASSDORF: I'm going to object to 2 the extent that this could get into any responses to 3 legislative inquires on the grounds of legislative 4 privilege. 5 Q. (BY MS. PERALES) You may answer. 6 A. Not until this year for the current session. 7 I was asked to join a task force of grass roots 8 activist to examine and work on the concerns about 9 ERIC, E-R-I-C, electronic registration information 10 center. We studied it, interviewed people across the 11 country for seven months and I was asked to draft a 12 possible bill that would open the ERIC functions put 13 broader range of solutions. It's the first time I've 14 done that. 15 Q. Uh-huh. 16 A. That has been -- I did not submit it, it was 17 submitted by our task force leader and it has become a 18 bill in the current legislature. 19 Q. In the current Texas legislature? 20 A. Current Texas -- the 88th Legislative 21 session. 22 Q. And the task force that you were on was it a 23 Texas only task force? 24 A. Texas only task force. 25 Q. Okay. So prior to working on drafting</p>
<p>27</p> <p>1 did you engage with anybody -- I'm just trying to get a 2 sense of how this works -- did you engage with elected 3 officials, at the luncheon about ballot integrity 4 legislation? 5 A. At the luncheon I had five minutes to discuss 6 some of the problems that had not been -- the loopholes 7 have not been closed that are causing problems with out 8 election workers with the entire group. 9 Q. I see, so you were essentially making a 10 presentation to them? 11 A. Informal presentation, yes. 12 Q. But you had the floor? 13 A. For five minutes. 14 Q. That's good, okay. And when you say 15 loopholes that weren't closed, does that mean SB 1? 16 A. No, it means in general. 17 Q. Okay. 18 A. What has been reported by our election 19 workers that needs to be addressed. 20 Q. Okay. You mentioned the list that -- that can 21 be many written form, aside from the list have you ever 22 written something more detailed about a proposal that 23 you wanted a legislator to consider. So for example, 24 have you ever taken a stab at maybe drafting a 25 provision that you would want to see?</p>	<p>29</p> <p>1 legislation, this -- for this 88th regular session, in 2 the past if you had a proposal that you wanted to see 3 enacted, how much detail would you put into writing it 4 down? 5 A. I understand. Again, with acknowledging the 6 objection, in between the first and second special 7 sessions of the 87th legislature I sent an email with 8 two sentences to the legal counsel of our senator 9 asking that they consider adding these two sentences to 10 Senate bill one for is second special session. They 11 studied it, liked it, recommended it and it was added 12 to Senate bill one. 13 Q. And when you say our senator, do you mean 14 Senator Bettencourt? 15 A. I do. 16 Q. Okay. And then do you remember what the two 17 sentences were on? 18 A. Yes. The two sentences involved requiring 19 the every county in Texas to reconcile the number of 20 ballots with the number of voters after every election. 21 Q. Do you remember the name of Senator 22 Bettencourt's I guess general counsel? 23 A. I do. 24 Q. Tell me what that is. That -- by the way, 25 that was very good, whoever prepared you for this</p>

<p>30</p> <p>1 deposition is -- did a great job.</p> <p>2 A. Sonya Aston.</p> <p>3 Q. And did you send the two sentences to</p> <p>4 Ms. Aston by email?</p> <p>5 A. By email.</p> <p>6 Q. Okay. And did she then respond to you?</p> <p>7 A. She respond and said I'll see what I can do.</p> <p>8 Q. Okay. Then how did you know -- how did you</p> <p>9 come to learn that it was well taken and then going to</p> <p>10 be put in the bill?</p> <p>11 A. Well, as you know in Texas legislature every</p> <p>12 special session, every bill has to be refiled. So when</p> <p>13 Senate bill was refiled for the second special session</p> <p>14 my two sentences were there.</p> <p>15 Q. Do you think you would still have that email</p> <p>16 to Ms. Aston if your email history somewhere?</p> <p>17 A. I don't think so, it's been well over a year.</p> <p>18 Q. Okay. What email service do you use?</p> <p>19 A. Outlook.</p> <p>20 Q. Outlook. Do you know if outlook keeps your</p> <p>21 older emails?</p> <p>22 A. I don't know.</p> <p>23 Q. Okay. Okay. Now, I think last on my list is</p> <p>24 testifying when possible in the legislature, do you</p> <p>25 recall testifying in the do you recall testifying on SB</p>	<p>32</p> <p>1 three minutes in the house.</p> <p>2 Q. And you take those notes back with you?</p> <p>3 A. I do.</p> <p>4 Q. Okay. I noticed when I -- I went to the</p> <p>5 Harris County Republican Party website that there was a</p> <p>6 link that -- that one could click on to get involved or</p> <p>7 volunteer with the party and it allowed me to put my</p> <p>8 name and my VYD information if I wanted to serve as an</p> <p>9 election worker; are you aware of that part of the</p> <p>10 website?</p> <p>11 A. I am aware.</p> <p>12 Q. Do you know if those pages or the information</p> <p>13 that's gathered there is used also to recruit Poll</p> <p>14 watchers?</p> <p>15 A. I don't deal with that information, but I</p> <p>16 think it's not impossible that once the party contacts</p> <p>17 the person who left their name they could add Poll</p> <p>18 watching as an option of volunteer activity.</p> <p>19 Q. How do you get the names of potential Poll</p> <p>20 watchers?</p> <p>21 A. I get them from the county party.</p> <p>22 Q. Okay. So the paid staff?</p> <p>23 A. Uh-huh.</p> <p>24 Q. All right. And who is responsible for</p> <p>25 getting those individuals to a training that you would</p>
<p>31</p> <p>1 1 at all?</p> <p>2 A. I do.</p> <p>3 Q. Okay. And do you recall testifying on SB 1</p> <p>4 in the second special?</p> <p>5 A. I do.</p> <p>6 Q. Okay. I remember being in a committee hearing</p> <p>7 and you and I were both there and you were testifying,</p> <p>8 I can't remember for sure if it was the second special.</p> <p>9 But I -- I remember your testimony, do you -- would</p> <p>10 you, for example in the second special provide both</p> <p>11 written and verbal testimony?</p> <p>12 A. Rarely.</p> <p>13 Q. Okay.</p> <p>14 A. Rarely. Occasionally I will bring exhibits</p> <p>15 to supplement my verbal testimony. I rarely provide</p> <p>16 written testimony.</p> <p>17 Q. Okay. Do you recall whether you provided any</p> <p>18 written testimony on SB 1 or it's predecessor's bills</p> <p>19 HB 6, SB 7?</p> <p>20 A. I don't think I did provide written</p> <p>21 testimony. I think it was all verbal.</p> <p>22 Q. Do you go up with like index cards or a piece</p> <p>23 of paper?</p> <p>24 A. I type up every work I'm going to say and</p> <p>25 I've timed it out for two minutes in the Senate and</p>	<p>33</p> <p>1 give?</p> <p>2 A. The paid staff.</p> <p>3 Q. Okay. So you don't have to be chasing people</p> <p>4 down telling them, it's at Saturday at 10 a.m.</p> <p>5 A. Not anymore.</p> <p>6 Q. Okay. Okay. When I'm quiet I'm crossing off</p> <p>7 questions, so it's a good thing. I'm already on page 6,</p> <p>8 we're just zipping right along here.</p> <p>9 MR. TAYLOR: You left out a key fact,</p> <p>10 what's the last page number?</p> <p>11 (Laughter.)</p> <p>12 MS. PERALES: Well, it's not six,</p> <p>13 but -- but we're actually making really -- I think our</p> <p>14 conversation, so it touched on several different</p> <p>15 things, so I'm catching up with myself and crossing off</p> <p>16 the questions.</p> <p>17 THE WITNESS: While you're doing that,</p> <p>18 can we take a break?</p> <p>19 MS. PERALES: Of course.</p> <p>20 THE WITNESS: Thank you.</p> <p>21 MS. PERALES: Let's take a five minute</p> <p>22 break.</p> <p>23 THE REPORTER: Okay. Going off the</p> <p>24 record at 10:29 a.m.</p> <p>25 (Off the record.)</p>

<p>34</p> <p>1 THE REPORTER: Going back on the</p> <p>2 record at 10:42 a.m. []</p> <p>3 Q. (BY MS. PERALES:) Okay. Mr. Vera, I am going</p> <p>4 to ask you some more specific questions about Poll</p> <p>5 watchers and your training of the Poll watchers</p> <p>6 comparing the before SB 1 to the after SB 1 period of</p> <p>7 time, okay?</p> <p>8 So did your training change at all for</p> <p>9 Poll watchers with respect to what they could do in the</p> <p>10 polling place while voting is happening?</p> <p>11 A. It did not change significantly. The two</p> <p>12 greatest changes.</p> <p>13 MR. GORE: Let me -- let me just</p> <p>14 interject here an objection. We've allowed latitude on</p> <p>15 the Poll watcher training and I'm fine you confirming</p> <p>16 there were changes to the training. Anything like the</p> <p>17 substance of the training the Harris County Republican</p> <p>18 Party has asserted a First Amendment right to</p> <p>19 confidentiality and First Amendment privilege not to</p> <p>20 disclose the substance of the training. So I'm going</p> <p>21 to ask the witness or instruct the witness not to</p> <p>22 answer anything about the substance of the training.</p> <p>23 Q. (BY MS. PERALES:) Mr. Vera are you going to</p> <p>24 follow counsel's advice and not testify about the</p> <p>25 substance of the Poll watcher training?</p>	<p>36</p> <p>1 A. Yes.</p> <p>2 Q. And in these communications, would it be fair</p> <p>3 to say that they're asking for your guidance about what</p> <p>4 to in a particular situation?</p> <p>5 A. Frequently.</p> <p>6 Q. Okay. And to you then provide that guidance</p> <p>7 to them based on your understanding of SB 1 and other</p> <p>8 parts of the election code that deal with Poll</p> <p>9 watchers?</p> <p>10 A. That is correct.</p> <p>11 Q. You mentioned the training manual that you</p> <p>12 encouraged, that you've created, that you encourage the</p> <p>13 Poll watchers to bring with them to the polling place</p> <p>14 on election day; is that correct?</p> <p>15 A. I mentioned it, yes.</p> <p>16 Q. Okay. Can you tell me approximately how many</p> <p>17 pages long it is?</p> <p>18 A. It is a graded booklet where there are tabs</p> <p>19 available to you. I'm going to guess it is a total of</p> <p>20 18 pages folded and collated an cut very uniquely.</p> <p>21 Q. Does each page contain approximately 250</p> <p>22 words?</p> <p>23 A. No. It's a tiered appearance so that there's</p> <p>24 a tab on what the content is. So there's a tab that</p> <p>25 says ID and they flip it up in that opened is all the</p>
<p>35</p> <p>1 A. I am.</p> <p>2 Q. Okay. And you did that very elegantly, I -- I</p> <p>3 mentioned previously that so times your. Counsel will</p> <p>4 direct you not to answer and we will then work on that</p> <p>5 at another time.</p> <p>6 You mentioned that your Poll watcher</p> <p>7 training did not change significantly, but would it be</p> <p>8 fair to say that your Poll watcher training did change</p> <p>9 in some respect from the pre-SB 1 period to the post SB</p> <p>10 1 period?</p> <p>11 A. Yes.</p> <p>12 Q. Aside from the training that you give Poll</p> <p>13 watchers, do you also receive communications from Poll</p> <p>14 watchers while election day is going on?</p> <p>15 A. I do.</p> <p>16 Q. Okay. And generally how to you receiver those</p> <p>17 communications?</p> <p>18 A. By text or email.</p> <p>19 Q. Have you ever had a poll watcher call you on</p> <p>20 your cell phone during election day to ask for you</p> <p>21 guidance or advice?</p> <p>22 A. Yes.</p> <p>23 Q. So then would it be fair to say you</p> <p>24 communicate with Poll watchers by text email and</p> <p>25 telephone?</p>	<p>37</p> <p>1 informing on ID.</p> <p>2 Q. Okay?</p> <p>3 A. So -- and on the back are the actual</p> <p>4 citations from the election code that relate to the</p> <p>5 issue on the opposite side of the page. So 18 pages</p> <p>6 but they're not same size.</p> <p>7 Q. Okay. So if I took the words from your manual</p> <p>8 and I put them in let's say a word processing document</p> <p>9 about how many pages long will it be?</p> <p>10 A. I don't know.</p> <p>11 Q. Would it be more than 18?</p> <p>12 A. No --</p> <p>13 Q. I'm trying to figure out --</p> <p>14 A. What font size?</p> <p>15 Q. ( Laughter. ) 12?</p> <p>16 A. Yes, then be more than 18 because the font</p> <p>17 side I have to use for the code is much smaller to fit</p> <p>18 all the relevant code.</p> <p>19 Q. Okay. Okay. Would it be fair to say that your</p> <p>20 Poll watcher guide is different from the Poll watcher</p> <p>21 published by the secretary of state?</p> <p>22 A. It is. It is in format.</p> <p>23 Q. Okay.</p> <p>24 A. It's much more usable.</p> <p>25 Q. Okay.</p>

<p>70</p> <p>1 SB 7, I believe.</p> <p>2 So in the lead up to the 2021, Texas</p> <p>3 legislative regular session, it's fair to say that you</p> <p>4 were interested in seeing one or more bills put forward</p> <p>5 that we're going to deal with election issues?</p> <p>6 A. That's correct.</p> <p>7 Q. Okay. So prior to the start of the 2021</p> <p>8 legislative session, what steps did you take to</p> <p>9 advocate for election related legislation in the</p> <p>10 upcoming session?</p> <p>11 A. That was the 87th session. In the early days</p> <p>12 of the session I visited in person in the capital with</p> <p>13 the state reps and the senators who represent Harris</p> <p>14 County and this was a verbal communication of the kinds</p> <p>15 of issues we think needed to be fixed. So we visited</p> <p>16 together and I talked and they took notes.</p> <p>17 Q. Okay. Tell me the names of those people.</p> <p>18 A. Briscoe Cain, Valoree Swanson, Mike</p> <p>19 Schofield, Paul Bettencourt.</p> <p>20 Q. Any other senators?</p> <p>21 A. No.</p> <p>22 Q. How about Bryan Hughes?</p> <p>23 A. No.</p> <p>24 Q. Okay. Cain, Swanson, and Schofield are</p> <p>25 members of the house, right?</p>	<p>72</p> <p>1 now, thank you. Again, just to be clear I -- in that</p> <p>2 year was mostly phone calls in advance and those start</p> <p>3 in June. I began calling Swanson and Cain and</p> <p>4 Schofield in June of 2020 discussing issues that were</p> <p>5 of concern to the Ballot Security Committee, not bills</p> <p>6 just issues that needed to be addressed.</p> <p>7 Q. Uh-huh.</p> <p>8 A. And then that continued in January of 2021</p> <p>9 when I visited their offices and followed up on those</p> <p>10 issues.</p> <p>11 Q. Okay. Understood. You met with them one on</p> <p>12 one?</p> <p>13 A. Well, in June it was phone calls in January</p> <p>14 it was visits one on one uh-huh.</p> <p>15 Q. Did you meet with the members personally or</p> <p>16 did you meet with their staff?</p> <p>17 A. Probably a mix, I can't remember exactly, but</p> <p>18 I'm sure the -- the members were there on one of the</p> <p>19 visits and staff on others.</p> <p>20 Q. Okay. What do you remember advocating on that</p> <p>21 were related to SB 1, meaning either ended up in -- in</p> <p>22 SB 1 or one of its predecessor's bills?</p> <p>23 A. Oh, I see, I see, I see --</p> <p>24 MR. WASSDORF: I'm going to object</p> <p>25 again on the basis of legislative privilege to the</p>
<p>71</p> <p>1 A. Correct.</p> <p>2 Q. Okay. Tell me about how many times you</p> <p>3 communicated with Briscoe Cain?</p> <p>4 A. Well, it was the initial visit where I</p> <p>5 visited all of them. I think twice before the</p> <p>6 committees began hearing, maybe two times the most.</p> <p>7 Q. So this would have been after the -- the legg</p> <p>8 started?</p> <p>9 A. After the opening day of the Legg but before</p> <p>10 the committees began hearing bills.</p> <p>11 Q. Okay. Did you do any work prior -- sorry. Did</p> <p>12 you do any work prior to the start of the session?</p> <p>13 A. I work all the time. Can you be more</p> <p>14 specific.</p> <p>15 Q. So bill filing usually opens in November of</p> <p>16 the year preceding, so just taking you from --</p> <p>17 following the November 2020 election, knowing that</p> <p>18 there's an upcoming legislative session?</p> <p>19 A. Right.</p> <p>20 Q. Just in that period before the legislative</p> <p>21 session starts, did you do work -- and I'm sure you</p> <p>22 must have so maybe the better question is, what work</p> <p>23 did do you to prepare for a accomplishing your goals</p> <p>24 with respect to your legislation --</p> <p>25 A. -- I understand -- I understand your question</p>	<p>73</p> <p>1 extent that any of the contents of these communications</p> <p>2 were in response to a legislative inquiry and instruct</p> <p>3 you not to answer in that regard.</p> <p>4 MS. PERALES: I don't think you can</p> <p>5 instruct him not to answer.</p> <p>6 MR. WASSDORF: Well, I mean --</p> <p>7 MS. PERALES: But let's -- let's take</p> <p>8 a minute to think about it.</p> <p>9 MR. TAYLOR: Doesn't the state --</p> <p>10 doesn't the state own that privilege though. I mean</p> <p>11 it's not a privilege that --</p> <p>12 MS. PERALES: Well, it's -- it's maybe</p> <p>13 the privilege of a legislator, but it's -- they're</p> <p>14 third parties. They're not parties to the action here.</p> <p>15 MR. WASSDORF: I don't know.</p> <p>16 MS. PERALES: Let me think about this.</p> <p>17 Let me think about this. I'm -- I'm not going to</p> <p>18 trying to steamroll you. I do want to stay on the</p> <p>19 record.</p> <p>20 MR. WASSDORF: I -- I was asserting</p> <p>21 the privilege of instructing him not to answer based on</p> <p>22 Mr. Taylor's representation that he was going to defer</p> <p>23 to us with respect to our respective privilege</p> <p>24 objections.</p> <p>25 MR. TAYLOR: Yeah. And I can make it</p>

<p>74</p> <p>1 easier perhaps. I don't want my client a witness to be  2 put in a position where somebody has asserted a  3 privileged and then said that he improperly waived that  4 privilege. So I don't think we have, he and I don't  5 have any choice, but if somebody's going to raise a  6 privilege today, we're just going to have to you know  7 not answer that question. But I'm not saying that the  8 privilege is valid or invalid, I have no idea because  9 I'm not involved in this case. So that's -- but that's  10 the practical reality is I am instructing him not to  11 answer questions that these other lawyers are  12 asserting, but not because they're valid, but because  13 they're asserted.</p> <p>14 MS. PERALES: Uh-huh. So can you tell  15 me if you're going to assert the legislative privilege  16 and instruct the, Mr. Vera not to answer with respect  17 to all communications with legislators and staff?</p> <p>18 MR. WASSDORF: No, it's just any --  19 the contents of any communications that he made in  20 response to an inquiry from a legislator or legislative  21 staff.</p> <p>22 MS. PERALES: So can you tell me what  23 it was about my question to Mr. Vera that may have  24 raised that issue for you?</p> <p>25 MR. WASSDORF: I'm having difficulty</p>	<p>76</p> <p>1 your initiative and then we will try to deal separately  2 with your communications with legislators and staff  3 where they're requesting something from you?</p> <p>4 A. This is going to be difficult.</p> <p>5 Q. Okay.</p> <p>6 A. Because the interaction and the dynamics of  7 the exchanges and discussions, those things overlap  8 continually.</p> <p>9 Q. Yeah, okay.</p> <p>10 A. It's going to be difficult.</p> <p>11 Q. Okay. Well, with without discussing the  12 substance of what they may have been asking you and  13 what you may have been let me try get a sense of how  14 that would have unfolded. Would it be fair to say that  15 you communicated with legislators and their staff in  16 person, by phone, and by email?</p> <p>17 A. That would be an accurate statement.</p> <p>18 Q. Okay. Did you ever have any Zoom meetings  19 with legislators or staff?</p> <p>20 A. Did not.</p> <p>21 Q. Okay. And so is it your testimony that when  22 you were communicating with legislators and their staff  23 that it was a -- a combination of you bringing forth  24 information at your initiative or requests at your  25 initiative and then getting inquiries from them and</p>
<p>75</p> <p>1 in remembering what exactly the wording of the question  2 was, but as it was read the scope of the question  3 appeared to potentially encompass his communications to  4 the legislators or legislative staff in response to a  5 legislative inquiry.</p> <p>6 MS. PERALES: One second.</p> <p>7 Let me see if I can divide his  8 testimony in such a way that we are able to segregate  9 those questions on the record and deal with them  10 separately, perhaps down the line a little bit in the  11 deposition.</p> <p>12 MR. WASSDORF: Sure.</p> <p>13 Q. (BY MS. PERALES:) So Mr. Vera, would it be  14 fair to say that you had communications with  15 legislators and staff in which you were bringing forth  16 information or requests at your initiative; that's a  17 yes or no question.</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Were there ever times when you were  20 communicating with legislators and staff in response to  21 a question from them?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. So I'm going to try to divide your  24 testimony into what I believe is non-objectionable, you  25 bringing forth information to legislators and staff at</p>	<p>77</p> <p>1 then you're responding to those inquires?</p> <p>2 A. If I understand the question, yes, it was  3 both those issues and frequently in the same meetings.</p> <p>4 Q. Okay. Is it fair to say so summarize your  5 earlier testimony that you started calling house  6 members and staff and Senator Bettencourt and staff in  7 the summer prior to the January 2021 session, and that  8 your communications with them continued both either  9 through email calls or in person meetings until the  10 enactment of SB 1?</p> <p>11 A. Well if an enactment means final passage,  12 yes, because SB 1 did not become effective till  13 December of 2021 so yes to the enactment.</p> <p>14 Q. Okay. When you responded to inquires from  15 legislators or staff would it be fair to say that you  16 were giving them information as well as suggestions on  17 crafting SB 1, or what ultimately became SB 1?</p> <p>18 A. It would be more -- it would most accurate to  19 say that when I was responding to questions it was  20 providing specific information on problems we had  21 faced.</p> <p>22 Q. Uh-huh.</p> <p>23 A. Not craft -- how to craft SB 1.</p> <p>24 Q. But suggestions certainly about where, where  25 you wanted to see language to solve certain problems</p>

<p>78</p> <p>1 that you had seen?</p> <p>2 A. I think you've gone a little too far on the</p> <p>3 specificity. It wasn't the language it was we've got</p> <p>4 to find how to fix this. I wasn't suggesting the</p> <p>5 language and how to fix it.</p> <p>6 Q. Certainly not bill language, let met -- let</p> <p>7 ask my question in a better way then.</p> <p>8 A. Okay.</p> <p>9 Q. When you're communicating in response to</p> <p>10 inquiries from legislators, you were giving them both</p> <p>11 factual information as well as telling them from your</p> <p>12 perspective that either certain holes needed to be</p> <p>13 plugged in the statute or certain issues needed to be</p> <p>14 addressed by the statute?</p> <p>15 A. That is correct, but what I did not do is</p> <p>16 provide language for the statute.</p> <p>17 Q. Okay. You mention that prior to the start of</p> <p>18 the 2021 regular session you started calling</p> <p>19 legislators and their staff on certain issues as far</p> <p>20 as -- as the summer before so summer of 2021 -- I'm</p> <p>21 sorry, summer of 2020 --</p> <p>22 A. 2020.</p> <p>23 Q. -- And I had asked you a question about what,</p> <p>24 of those communications were relevant to SB 1, or what</p> <p>25 ended up in SB 1. So just focusing on your outreach to</p>	<p>80</p> <p>1 officials?</p> <p>2 A. No, I did not.</p> <p>3 Q. Did you --</p> <p>4 A. But I -- to be clear, I want to be -- I do</p> <p>5 remember also repeating a prior concern about people</p> <p>6 registering to vote using a commercial post office box</p> <p>7 as a residence address. And that was in addition to</p> <p>8 the Poll watcher and the mail ballot harvesting, sorry,</p> <p>9 I forgot that.</p> <p>10 Q. Well that's what I'll going to go through the</p> <p>11 list because who could remember all of it it's a long</p> <p>12 list?</p> <p>13 A. Okay.</p> <p>14 Q. Do you remember raising before SB 1 was</p> <p>15 filed concerns to legislators or advocating that</p> <p>16 legislators address voter registration list maintenance</p> <p>17 issues, other than this residential address issue?</p> <p>18 A. At that time, no. The PO box registration</p> <p>19 was the issue I raised.</p> <p>20 Q. And so you mentioned at that time, no, so I'm</p> <p>21 going to make a note to you about that later on as</p> <p>22 well. Do you remember advocating that SB 1 have any</p> <p>23 provisions regarding the secretary or state reserving</p> <p>24 the names of voters excused from jury duty for non</p> <p>25 residence?</p>
<p>79</p> <p>1 legislators, starting before the start of the 2021</p> <p>2 regular session, can you tell me what issue you were</p> <p>3 reaching out on that were relevant top SB 1? So for</p> <p>4 example there's lot issues in the election code and I</p> <p>5 know that you work on lots of different things?</p> <p>6 A. Uh-huh.</p> <p>7 Q. But just specific to what was addressed in SB</p> <p>8 1 can you remember starting the summer of 2020 what you</p> <p>9 were advocating onto the members?</p> <p>10 A. At that time I know I mentioned growth in</p> <p>11 mail ballot harvesting in Harris County. I know I</p> <p>12 mentioned problems with election judges preventing Poll</p> <p>13 watchers from being close enough to see and hear</p> <p>14 activity, and that was partly due to COVID, okay?</p> <p>15 Those are the two major issues in the summer was the</p> <p>16 mail ballot harvesting problem and the carryover Poll</p> <p>17 obstruct problem.</p> <p>18 Q. So prior to SB -- actually SB 7 and HB 6 --</p> <p>19 A. Uh-huh.</p> <p>20 Q. Getting filed --</p> <p>21 A. Uh-huh.</p> <p>22 Q. In the regular session did you advocate for</p> <p>23 example on -- and I'm just going to go through the</p> <p>24 provisions -- requiring a registrar to report</p> <p>25 ineligible registrants or voters to law enforcement</p>	<p>81</p> <p>1 A. No.</p> <p>2 Q. Do you remember advocating before SB 1 was</p> <p>3 filed on requiring the secretary of state to refer</p> <p>4 information around potential criminal conduct to the</p> <p>5 AG?</p> <p>6 A. No.</p> <p>7 Q. Now this is leading up to before SB 1 gets</p> <p>8 filed, how about recommending that legislators require</p> <p>9 polling place to be inside a building?</p> <p>10 A. That wasn't -- that wasn't on my list.</p> <p>11 Q. Okay. How about recommending to legislators</p> <p>12 that they're not be 24 hour voting?</p> <p>13 A. That wasn't on my list.</p> <p>14 Q. Okay. Do you recall before SB 1 was filed</p> <p>15 recommending to legislators that the election code</p> <p>16 contain a specific provision that voting machines not</p> <p>17 allow straight ticket voting?</p> <p>18 A. Not on my list.</p> <p>19 Q. Okay. Do you recall recommending to</p> <p>20 legislators that SB 1 limit the presiding judge from</p> <p>21 removing a watcher unless the watcher committed certain</p> <p>22 infractions, whether those be of the Election Code or</p> <p>23 the Penal Code?</p> <p>24 A. Not that specific thought, but in the summer</p> <p>25 I raised the concerns about Poll watchers not being</p>

<p>82</p> <p>1 allowed to observe what they're entitled to observe.  2 So I raised the general topic, not that specific topic.  3 Q. Do you know how that specific topic -- how  4 that specificity about prohibiting election judges from  5 removing watchers unless the watcher committed certain  6 infractions; do you know where that language came from?  7 A. I do not.  8 Q. Okay. And of course I should have asked you  9 about the ones above as well, do you know where the  10 language came from in SB 1 about having to have the  11 polling place be in a permanent structure?  12 A. Not that specific thought, no. That didn't  13 come from my discussions.  14 Q. All right. And then do you know where the  15 language of SB 1 came from about not having 24 hour  16 voting?  17 A. No, I do not.  18 Q. Okay. Do you -- do you recall whether you  19 were advocating before SB 1 was filed on making it  20 Class A misdemeanor to refuse to accept a watcher?  21 A. Not specifically that, no.  22 Q. Do you know the source of where that came  23 from in SB 1?  24 A. I do not.  25 Q. Okay. Now, there's a provision in SB 1 which</p>	<p>84</p> <p>1 A. I don't know.  2 Q. Okay. Before SB 1 was introduced, did you  3 advocate for either applications for ballot by mail or  4 mail ballots to have increased requirements for  5 presenting ID numbers, and then having -- those ID  6 numbers need to be verified in order to count either  7 the application, process the application, or count the  8 mail ballot?  9 A. Not specifically but I did tell you  10 previously that in the summer phone calls I was raising  11 concerns about mail ballot harvesting in Harris county.  12 Q. Okay. You didn't have that specific proposal  13 though, let's add an ID requirement to the paperwork  14 and have those things required to be checked?  15 A. I did not have that specific proposal. I may  16 have pointed out in one of two phone calls, but the  17 states of Wyoming and Alabama required a photocopy of  18 the copy of the driver's license of the voter to be  19 included with the ballot.  20 Q. Do you know the -- the source of specific  21 language in SB 1 requiring the ID numbers for ABBM's  22 and mail ballots?  23 A. I do not.  24 Q. Okay. Before SB 1 was introduced, did you  25 advocate at all with legislators for additional</p>
<p>83</p> <p>1 I believe you said that you did advocate with respect  2 to, which is that the watcher may not be denied free  3 movement where election activity is occurring and the  4 watcher is entitled to sit or stand near enough to see  5 or hear?  6 A. Yes.  7 Q. You advocated on that?  8 A. Yes.  9 Q. Okay. And did you advocate with respect to  10 it being a Class A misdemeanor to take action to  11 obstruct the view of a watcher or distance the watcher?  12 A. It was already a Class A misdemeanor.  13 Q. Okay. Do you recall advocating that there be  14 either different or increased penalties to -- for an  15 election judge to either distance the watcher or impede  16 the view of the watcher?  17 A. Not specifically. I did, in my summer phone  18 calls, advocate for their being a stronger penalty for  19 election judges who prevent Poll watchers from  20 performing their duties.  21 Q. Before SB 1 was introduced, did you advocate  22 on prohibiting mail ballot drop boxes?  23 A. I did not.  24 Q. Do you know whether that language -- what was  25 the source of that language for SB 1?</p>	<p>85</p> <p>1 information to be asked from individuals who transport  2 curb side voters?  3 A. Did not.  4 Q. Do you know where the source of that  5 language?  6 A. No, ma'am.  7 Q. Okay. Prior to the introduction of SB 1, did  8 you advocate with legislators to increase requirements  9 on polling place assistants, namely, that the assister  10 oath include additional statements?  11 A. That was not on my list, no.  12 Q. Okay. And what about whether the assister has  13 to say they were being compensated by a campaign or a  14 PAC?  15 A. That wasn't me.  16 Q. How about with respect to mail assistants mail  17 not male like y'all --  18 A. M-A-I-L.  19 Q. -- M-A-I-L. Assistance with voting by mail  20 did you advocate at all prior to the introduction of SB  21 1 that persons who assist voters who are voting by mail  22 are requesting a mail ballot provide additional  23 information about their relationship and compensation?  24 A. Not that specifically.  25 Q. Okay. Do you know the source of that?</p>

<p>86</p> <p>1 A. I do not.</p> <p>2 Q. Do you know the source of -- or where it came</p> <p>3 from in SB 1 that the assister oath be lengthened and</p> <p>4 that --</p> <p>5 A. I do not know the source.</p> <p>6 Q. Okay. Now there's a -- a provision in SB 1</p> <p>7 that makes it an offense to compensate or offer to</p> <p>8 compensate another person to assist voters in voting by</p> <p>9 mail, did you advocate on that issue prior to SB 1's?</p> <p>10 A. I did not.</p> <p>11 Q. Okay. Do you know how that language got into</p> <p>12 the bill?</p> <p>13 A. I do not.</p> <p>14 Q. All right. So there is a part of SB 1 that</p> <p>15 talks about vote harvesting and so I understand that</p> <p>16 you had raised a concern related to that. And so did</p> <p>17 you advocate with legislators that it should be</p> <p>18 prohibited to have an in person interaction with a</p> <p>19 voter in the presence of the ballot where the -- the</p> <p>20 person is advocating for a particular candidate or a</p> <p>21 measure?</p> <p>22 A. That was not from me.</p> <p>23 Q. Okay. So what did you advocate for -- well</p> <p>24 let me -- let me close that. To you know where that</p> <p>25 language came from in SB 1 or its predecessors related</p>	<p>88</p> <p>1 the penalties for that kind of conduct.</p> <p>2 Q. Okay. Now I -- and what you're saying</p> <p>3 triggering memory in my part that there's at least one</p> <p>4 document produced where you were sending an email</p> <p>5 saying that the voter wasn't even necessarily involved</p> <p>6 in that process and that you felt that vote harvesting</p> <p>7 relating to the in person interaction may have been not</p> <p>8 all of what you would like to see with respect to vote</p> <p>9 harvesting?</p> <p>10 A. You're remembering correctly, but that was an</p> <p>11 inquiry from a state legislator, so I won't comment,</p> <p>12 your -- your memory was correct.</p> <p>13 Q. Okay. I -- okay. It was produced and it</p> <p>14 seemed to me that it was you saying to them -- or at</p> <p>15 least what I saw you saying to them something along</p> <p>16 those lines. So then, would bit fair to say that prior</p> <p>17 to the introduction of SB 1 you had a concern about</p> <p>18 vote harvesting that may have been related to</p> <p>19 falsification of information outside the presence of</p> <p>20 the voter as opposed to anything that might be</p> <p>21 happening between the voter and someone who's asking</p> <p>22 them to vote a certain way?</p> <p>23 A. The concerns I was raising in the summer of</p> <p>24 2020 were ballot harvesting in a definition that did</p> <p>25 not include direct interaction with the voter, where</p>
<p>87</p> <p>1 to prohibited vote harvesting services as an in person</p> <p>2 interaction with one or more voters in physical</p> <p>3 presence of official ballot intended to deliver votes</p> <p>4 for specific candidate or measure?</p> <p>5 A. I do not know where it came from.</p> <p>6 Q. Okay. So what were you advocating for with</p> <p>7 protect to the vote harvesting?</p> <p>8 A. Okay. So we got to be careful about stepping</p> <p>9 on the objections, okay?</p> <p>10 Q. Yeah, I'm just asking what you were</p> <p>11 advocating for?</p> <p>12 A. In my calls I was describing a problem we</p> <p>13 were, at that time, investigating. In January and</p> <p>14 February of 2020 a flood of ABBM was received by the</p> <p>15 Harris county clerk with significant issues. So I'm</p> <p>16 reporting problems. 106 ABBMs delivered in a single</p> <p>17 envelope with no assistant signature to correspond with</p> <p>18 the act of mailing. Witness signatures on ABBMs</p> <p>19 requested by people that died in 1990 and 2000 and as</p> <p>20 recently of 2015 asking for an ABBM in 2020, that's a</p> <p>21 problem. ABBM signed with a witness by voters whose</p> <p>22 name was spelled wrong in the signature, that was our</p> <p>23 concern of ballot harvesting, okay? And it was</p> <p>24 significant and there were a number of them. So that,</p> <p>25 I was advocating for solutions to prevent or toughen</p>	<p>89</p> <p>1 the voter was unaware that they were requesting a mail</p> <p>2 in ballot.</p> <p>3 Q. Okay. So I want to stay in the time period</p> <p>4 prior to the introduction of SB 1 and shift slightly to</p> <p>5 your communications with people who are not</p> <p>6 legislators?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Namely first, the secretary of state's</p> <p>9 office, did you communicate at all with the secretary</p> <p>10 of states office about what you would want to see in</p> <p>11 voter integrity legislation in the 2021 session?</p> <p>12 A. I did not, no.</p> <p>13 Q. Next I'll go to the -- the office of the</p> <p>14 governor. Did you communicate with anybody in the</p> <p>15 office of the governor related to what he would want to</p> <p>16 see in voter integrity legislation for the 2020</p> <p>17 session?</p> <p>18 A. No, I did not.</p> <p>19 Q. And then finally with the respect to the</p> <p>20 office of Texas attorney general, did you communicate</p> <p>21 with anybody in the office of Texas attorney general</p> <p>22 about anything you would have wanted to see in the 2021</p> <p>23 session related to voter integrity legislation?</p> <p>24 A. No, I did not.</p> <p>25 Q. Now I'm going to bring you up to the time</p>

<p>90</p> <p>1 period of the regular session, the bills are now 2 introduced, you mentioned that you probably had two 3 meetings with legislators or legislative staff after 4 the opening day? 5 A. One or two, uh-huh. 6 Q. Uh-huh. So in addition to personal meetings 7 -- well let me ask you this, do you know how many times 8 you went up to Austin during the regular session? 9 A. Well before the committee hearings began with 10 bills, only twice. So January February, two times. 11 Q. Uh-huh? 12 A. Once the committee hearings began for hearing 13 election bills it was almost weekly. 14 Q. And in the almost weekly visits that you were 15 making after HB 6 and SB 7 are introduced? 16 A. We filed. 17 Q. Were introduced and the committees started 18 doing their meetings, were you meeting also almost 19 weekly with legislators or legislative staff? 20 A. No. Once that -- once the committee meetings 21 began my time was spent in the committee meetings. 22 They drag out forever. So yeah I might see staff or 23 members in the hallway or in the Capital Grill, the 24 meetings were few and far between after there. 25 Q. So what might, what do they call it,</p>	<p>92</p> <p>1 been -- there were two occasions in that first regular 2 session when in testimony I mentioned suggestions that 3 might make the bill better, and in those two cases -- 4 only two -- I was contacted while I was still waiting 5 to testify on later bills and spent time explaining to 6 the staff, this is what I was referring to. 7 Q. And generally that -- would that be by phone 8 or -- 9 A. Well, it's in person. 10 Q. In person? 11 A. While I'm still there in Austin. 12 Q. I see. So you might -- a legislator -- 13 legislative staff might track you down while you're 14 still in the building and ask you to respond as they're 15 vetting bill language? 16 A. Asking me to explain specifically what I was 17 suggesting in my testimony that might make the bill 18 better. 19 Q. Okay. Did you have ever an exchange like 20 that that resulted in bill changing in some way? 21 A. I assume there -- yes, but I can't remember 22 which bill. It was not one of these, except for the 23 reconciliation of votes and voters. 24 Q. Okay. So just specific to HB 6, SB 7, SB 1, 25 it's predecessor's bills, do you ever recall advocating</p>
<p>91</p> <p>1 buttonhole people in the halls or in the Capital Grill 2 and talk to them about the election integrity bills? 3 A. If that means I tripped over them, then yes. 4 I may have tripped over them and made a comment. 5 Q. Okay. So at this point, what is the means by 6 which you are communicating with legislators or 7 legislative staff? At this point has it shifted to 8 emails, phone calls? 9 A. At that point it begins to shift to emails 10 initiated by the legislators or their staff. 11 Q. Uh-huh. 12 A. I am the boots on the ground and I frequently 13 get an email asking me to look for unintended 14 consequences in the language of the bill and I respond 15 with my best evaluation of what might be the unintended 16 consequences. The email you referenced earlier on the 17 issue of ballot harvesting being an in person 18 definition was inquiry from a legislator, and that was 19 my response. 20 Q. Okay, so would it be fair to say then that, 21 once the committee hearings start your interactions 22 with legislative staff and legislators are in the form 23 of providing feedback on specific bill language that 24 they want to vet with you? 25 A. In general, yes. In general, yes. There have</p>	<p>93</p> <p>1 during the regular session for something to either be 2 added or changed about those bills that you saw come to 3 fruition? 4 A. Not in the regular session. 5 Q. Okay. And you've testified in favor of the 6 bills during the regular session HB 6 and SB 7, is that 7 correct? 8 A. Correct. 9 Q. Did you advocate for any bills that were not 10 HB 6 or SB 7 to kind of reach out and incorporate maybe 11 a -- a smaller bill that was also moving through the 12 Legg? 13 A. Please state the question again so I'm clear 14 did I ever advocate for bringing another bill into SB 15 7. 16 Q. Yeah. 17 A. There was one point -- not in regular session 18 I don't think -- but I advocating bringing Senate bill 19 1589 into Senate bill one or 7, whatever the number was 20 at the time. 21 Q. And did that happen? 22 A. Nope. 23 Q. Was 1589 one of the Bettencourt bills? 24 A. It was. Show you how much influence have. 25 Q. Well -- and Senator Bettencourt he had filed</p>

<p style="text-align: right;">94</p> <p>1 some -- so smaller stand alone bills; is that correct.</p> <p>2 A. It is.</p> <p>3 Q. Did you ever communicate by text with either</p> <p>4 legislators or legislative staff?</p> <p>5 A. No. I think Briscoe Cain may have texted me</p> <p>6 once to ask me to stop testifying on all the bills,</p> <p>7 swear to God.</p> <p>8 (Everyone Laughing).</p> <p>9 Q. (BY MS. PERALES:) Did he offer a reason why,</p> <p>10 or did you understand why he was asking?</p> <p>11 A. This meeting is running too long. The</p> <p>12 committee hearing is running too long, stop testifying.</p> <p>13 That was the only one I can recall.</p> <p>14 Q. Okay. You mentioned that you typically didn't</p> <p>15 submit written testimony when you testified, but did</p> <p>16 you submit anything in writing to either legislators or</p> <p>17 legislative staff that showed your thought or</p> <p>18 perspectives on either SB 7, or HB 6 -- and it could be</p> <p>19 anything, a memo, an email, a mark up of the bill with</p> <p>20 your concerns?</p> <p>21 A. At that time I'm sure that I don't leave</p> <p>22 copies of my testimony, but I sometimes give Exhibits.</p> <p>23 Yes, I did give out Exhibits showing the examples of</p> <p>24 the dead voters who requested mail ballots, okay, in</p> <p>25 January February 2020. So those were handed out to the</p>	<p style="text-align: right;">96</p> <p>1 phone calls.</p> <p>2 Q. Do you recall ever advocating for something</p> <p>3 to be taken out of either SB 7 or HB 6?</p> <p>4 A. I think the language defining ballot</p> <p>5 harvesting as requiring personal contact with the voter</p> <p>6 qualify as that but again, that was in response to a</p> <p>7 question from a legislator.</p> <p>8 Q. Okay. Now as SB 7 and HB 6 are moving through</p> <p>9 the regular session what communications are you having</p> <p>10 with the secretary of state regarding those bills,</p> <p>11 where Keith [Ingram], Christina [Adkins], or anybody</p> <p>12 else in the secretary of state's office?</p> <p>13 A. I don't think I'm having any communications</p> <p>14 with them about the bills. I can't recall any bills</p> <p>15 communication with them about HB 6 or SB 7.</p> <p>16 Q. You weren't saying for example saying, hey,</p> <p>17 when you testify don't forget, this issue has come up</p> <p>18 in Harris County, anything in which you're encouraging</p> <p>19 them to either include information or have a certain</p> <p>20 perspective?</p> <p>21 A. I can't recall ever communicating with the</p> <p>22 SOS office or anyone there about those bills while the</p> <p>23 sessions while the session was in progress?</p> <p>24 Q. Okay. Were there other bills for example</p> <p>25 that you sent information to Keith we Ingram on that</p>
<p style="text-align: right;">95</p> <p>1 committees, that was it.</p> <p>2 Q. And then specific to the bills themselves did</p> <p>3 you ever give them any writings that gave your thoughts</p> <p>4 or reactions to what was in the bill or what wasn't in</p> <p>5 the bill or how the bill was written?</p> <p>6 A. Only when -- when asked, I -- I didn't</p> <p>7 proactively.</p> <p>8 Q. Uh-huh?</p> <p>9 A. But if they -- when they asked me say, take a</p> <p>10 look at this see what are the unintended consequences</p> <p>11 I replied.</p> <p>12 Q. And unintended consequences, when you say</p> <p>13 that you mean how the bill language would play out in</p> <p>14 real life?</p> <p>15 A. Yes.</p> <p>16 Q. And whether it would accomplish the goals of</p> <p>17 the bill?</p> <p>18 A. That's correct.</p> <p>19 Q. Okay. And when you would be asked -- and I</p> <p>20 won't ask you for specifics of that just yet -- you</p> <p>21 could have potential have responded in writing with</p> <p>22 respect to that?</p> <p>23 A. By email, potentially. Yes.</p> <p>24 Q. Okay.</p> <p>25 A. Usually those were either emails or tell</p>	<p style="text-align: right;">97</p> <p>1 have to with elections?</p> <p>2 A. No, no. You should know that Keith Ingram</p> <p>3 doesn't really like me a whole lot, okay? So I send</p> <p>4 formal complaints when I uncovered some wrongdoing, and</p> <p>5 that's normally when I communicate with him. We don't</p> <p>6 communicate directly a whole lot.</p> <p>7 Q. So if Keith Ingram said, for example, you had</p> <p>8 provide him bill language on something or another,</p> <p>9 would that be false?</p> <p>10 A. I wouldn't know where it came from.</p> <p>11 Q. Okay.</p> <p>12 A. I wouldn't know where they came from.</p> <p>13 Q. Okay. Same question with respect to the</p> <p>14 attorney general's office, as the HB 6, SB 7 are moving</p> <p>15 through the regular session were you having any</p> <p>16 communications with the office of attorney general</p> <p>17 related to these bills?</p> <p>18 A. No, during that time my communications with</p> <p>19 the office of attorney general were complaining about</p> <p>20 lack of action on complaints I had already filed.</p> <p>21 Q. Okay. And then with respect to communication</p> <p>22 with office of governor, were you having any with the</p> <p>23 officer of the govern -- office of the governor on HB</p> <p>24 6, SB 7 during the regular session?</p> <p>25 A. I cannot remember any communications with the</p>

<p>102</p> <p>1 A. Did not.</p> <p>2 Q. Did you advocate with legislators or other</p> <p>3 officials regarding voting machines not allowed</p> <p>4 straight ticket voting?</p> <p>5 A. Did not.</p> <p>6 Q. Now you were advocating on Poll watchers?</p> <p>7 A. I was.</p> <p>8 Q. And so is there a point at which you began to</p> <p>9 advocate on the specific provisions in SB 1 related to</p> <p>10 Poll watchers, such as prohibiting election judges from</p> <p>11 removing unruly watchers unless the watcher's behavior</p> <p>12 violates the Penal Code or was personally observed by</p> <p>13 the election judge?</p> <p>14 A. I was not advocating for that. I will tell</p> <p>15 you that during that time period I advocated for</p> <p>16 removing some of the original language of SB 1 which</p> <p>17 allowed poll watchers to carry cameras and take photos</p> <p>18 and record inside the polling place. I was opposed to</p> <p>19 that.</p> <p>20 Q. Okay. Now, the provisions related to -- okay</p> <p>21 did you advocate in the legislature with other</p> <p>22 officials during this time period up to passage of SB 1</p> <p>23 that it be made a class A misdemeanor to refuse to</p> <p>24 accept a watcher?</p> <p>25 A. I did not.</p>	<p>104</p> <p>1 Q. Okay. Did you advocate leading up to the</p> <p>2 passage SB 1 for new information to be gathered from</p> <p>3 individuals transporting curbside voters?</p> <p>4 A. I did not advocate for that provision.</p> <p>5 Q. Did you advocate leading up to the passage of</p> <p>6 SB 1 with legislators or other officials on adding</p> <p>7 language to assister oath?</p> <p>8 A. I did not.</p> <p>9 Q. Did you advocate leading up to the passage of</p> <p>10 SB 1 with legislators or other officials for</p> <p>11 requirement that individuals assisting with mail ballot</p> <p>12 preparation provide their relationship and whether they</p> <p>13 were compensated?</p> <p>14 A. I did not advocate in that specific issue.</p> <p>15 Q. Did you advocate leading up to the passage of</p> <p>16 SB 1 for -- either with legislators or others that</p> <p>17 there be a state jail felony when a person compensates</p> <p>18 or offers to compensate another person to assist</p> <p>19 voters?</p> <p>20 A. I did not advocate for that provision.</p> <p>21 Q. Okay. And did you advocate leading town the</p> <p>22 passage of SB 1 with legislators or others that SB 1</p> <p>23 prohibit what it terms vote harvesting services that</p> <p>24 would be an in person interaction with a voter in the</p> <p>25 presence of a ballot intended to advocate for certain</p>
<p>103</p> <p>1 Q. Did you advocate during this time period with</p> <p>2 either legislators or other officials that SB one</p> <p>3 include language saying that a watcher may not be</p> <p>4 denied free movement where election activity is</p> <p>5 occurring -- occurring and is entitled to sit or stand</p> <p>6 near enough to see and hear the on conduct of the</p> <p>7 observed activity?</p> <p>8 A. Only in my testimony to the committee.</p> <p>9 Q. And with respect to the time period that</p> <p>10 we've defined leading the passage of SB 1 did you</p> <p>11 advocate with legislators or other officials to make it</p> <p>12 a class A misdemeanor to take any -- for an election</p> <p>13 official to take any action to obstruct the view of a</p> <p>14 watcher or distance the watcher from the activity or</p> <p>15 procedure being observed?</p> <p>16 A. Only in my testimony to the committee.</p> <p>17 Q. Did you advocate, leading up to the passage</p> <p>18 of SB 1, on prohibiting mail ballot drop boxes?</p> <p>19 A. I did not personally advocate in that.</p> <p>20 Q. Okay. Did you advocate leading up to the</p> <p>21 passage of SB 1 for language in the bill that would</p> <p>22 require voters to put ID numbers on ABBM's or mail</p> <p>23 ballots as part of the process of verifying voter</p> <p>24 identity?</p> <p>25 A. I did not advocate.</p>	<p>105</p> <p>1 ballot positions?</p> <p>2 A. I did not advocate for that provision.</p> <p>3 Q. Leading up to the passage of SB 1 did you</p> <p>4 advocate with legislators or other officials on</p> <p>5 opposing civil penalty on election official who violate</p> <p>6 the election code?</p> <p>7 A. I did not advocate for that provision.</p> <p>8 Q. So you mentioned earlier -- okay, well here's</p> <p>9 -- here's a question for you, some of these provisions</p> <p>10 seem related to things that Harris County was doing in</p> <p>11 the general election of 2020?</p> <p>12 A. Uh-huh.</p> <p>13 Q. For example, expanding the hours of voting to</p> <p>14 24 hours, having voting occur kind of in areas where</p> <p>15 it's not a permanent structure but more of tent set up</p> <p>16 or nonpermanent structure, but you did -- you're saying</p> <p>17 that your advocacy in the legislature our legislators</p> <p>18 did not touch on those things that Harris County had</p> <p>19 done in particular?</p> <p>20 A. Immediately after the 2020 election, okay? I</p> <p>21 did my own local analysis for our legislators on what</p> <p>22 had happened in that election. And one of the issues</p> <p>23 that I addressed was the incredible problems and the</p> <p>24 almost disenfranchisement of 2,000 voters in drive-thru</p> <p>25 voting because of the poor -- poor way it was handled.</p>

<p>106</p> <p>1 So talked about that locally, okay? And I'm -- I'm</p> <p>2 sure many of our legislators heard my comment on that</p> <p>3 topic.</p> <p>4 Q. Did you ever speak to legislators and urge</p> <p>5 them to do something about what you had found with</p> <p>6 respect to the drive-thru receipting?</p> <p>7 A. I did not do that. I was questioned at</p> <p>8 length on drive-thru voting by Senator Royce West</p> <p>9 during the Senate state affairs committee hearing on SB</p> <p>10 1 in the first special session. And that's why, for</p> <p>11 half an hour got into all the details and problems of</p> <p>12 drive-thru voting.</p> <p>13 Q. Okay. So we've covered these specific</p> <p>14 provisions, so let me sort of change somewhat to ask</p> <p>15 you, on what provisions were you communicating with</p> <p>16 legislatures or legislative staff during the period</p> <p>17 leading occupy to enactment of SB 1?</p> <p>18 A. During that period of time I was not doing</p> <p>19 any individual advocacy with legislators or their</p> <p>20 staffs accept between the first and special session</p> <p>21 when I asked Senator Bettencourt's staff to carry those</p> <p>22 two sentences and put them into SB 1 for me, everything</p> <p>23 else was in public testimony.</p> <p>24 Q. What about answering questions from</p> <p>25 legislators --</p>	<p>108</p> <p>1 Jetton, State Rep Valoree Swanson, Senator Bettencourt</p> <p>2 and his staff, and I think 90 percent of the emails I</p> <p>3 got requesting my point of view were those three people</p> <p>4 or their staffs.</p> <p>5 Q. Did you ever have a request for your feedback</p> <p>6 from Briscoe Cain or his staff?</p> <p>7 A. In the regular session I did get a -- a</p> <p>8 request from on HB 6.</p> <p>9 Q. Okay. And with respect to Mike Schofield did</p> <p>10 you ever get a request from him for feedback or</p> <p>11 reaction either him or his staff?</p> <p>12 A. Did not.</p> <p>13 Q. Okay. How about Representative Clardy, did</p> <p>14 you have any communications with either him or his</p> <p>15 staff related to bill language?</p> <p>16 A. No.</p> <p>17 Q. Okay. Jacey Jetton, would it be fair to say</p> <p>18 it was not somebody you had met with at the early part</p> <p>19 of the session?</p> <p>20 A. That's correct. He's a representative from</p> <p>21 Fort Bend county so he would not have attend the Harris</p> <p>22 County's events where we discussed election legislation</p> <p>23 --</p> <p>24 Q. I'm sorry, I stepped on your answer. And so</p> <p>25 tell me how you begin to start communicating with</p>
<p>107</p> <p>1 A. Yes.</p> <p>2 Q. -- as we had discussed earlier, were you</p> <p>3 answering questions from legislators during the period</p> <p>4 of the -- either the regular or the first or the second</p> <p>5 special session?</p> <p>6 A. Yes, I would get questions from legislators</p> <p>7 asking me to review this document and this language and</p> <p>8 see if there are any unintended consequences, that's</p> <p>9 normal.</p> <p>10 Q. And then you provide your feedback?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And so about how often, how many times</p> <p>13 per week during the first or second special were you</p> <p>14 providing that kind of feedback to legislators or</p> <p>15 staff?</p> <p>16 A. Well, during the first special session it was</p> <p>17 no more than twice a week. The second special session</p> <p>18 it was only once a week at max that anybody asked.</p> <p>19 Q. Okay.</p> <p>20 A. Things were pretty settled by then.</p> <p>21 Q. Okay. And then with respect to who was</p> <p>22 asking can you give me the names of the people who were</p> <p>23 seeking your input on the bill language or for the --</p> <p>24 you know, for your reaction to this?</p> <p>25 A. I would get emails from State Rep Jacey</p>	<p>109</p> <p>1 Representative Jetton about SB 1?</p> <p>2 A. Very simple, I got an email from his staff</p> <p>3 asking me to comment on these sections of the bill, and</p> <p>4 I gave them my comments.</p> <p>5 Q. Would it be fair to say that, during the time</p> <p>6 that you were providing your comments on bill language</p> <p>7 in the regular session, the first and second special</p> <p>8 session, that what you were being asked to comment on</p> <p>9 was broader than Poll watchers or harvesting?</p> <p>10 A. Yes. It would be a correct statement,</p> <p>11 because the email usually simply asked, please take a</p> <p>12 lack at these sections and tell us if there are any</p> <p>13 unintended consequences from that language.</p> <p>14 Q. And then you would provide your concerns or</p> <p>15 your thoughts about how the bill language would play</p> <p>16 out in real life?</p> <p>17 A. I have would provide my feedback on that --</p> <p>18 those -- those exact words, the current language might</p> <p>19 be misinterpreted, misconstrued, or abused for a -- a</p> <p>20 result I didn't want.</p> <p>21 Q. Or also might fail to address a problem that</p> <p>22 you perceived?</p> <p>23 A. Correct, yes.</p> <p>24 Q. Okay. And would it be fair to say then those</p> <p>25 type of legislator requests covered most provisions in</p>

<p>110</p> <p>1 SB 1?</p> <p>2 A. I can't answer that because I won't remember.</p> <p>3 I know that most of the request I get for that feedback</p> <p>4 specify sections of the language they want me to look</p> <p>5 at. I don't know if it covered all -- SB one is a</p> <p>6 pretty long bill.</p> <p>7 Q. Maybe I'll -- I'll be slightly more specific,</p> <p>8 were you asked to respond to language related to Poll</p> <p>9 watchers for example?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Were you asked to respond to language</p> <p>12 related to vote harvesting?</p> <p>13 A. Yes.</p> <p>14 Q. Were you asked to respond to language related</p> <p>15 to voter assistance?</p> <p>16 A. No, I was not.</p> <p>17 Q. Okay. Were you asked to respond to language</p> <p>18 related to 24 hour voting?</p> <p>19 A. No I was not.</p> <p>20 Q. Were you asked to responds to language</p> <p>21 related to temporary polling places or moveable polling</p> <p>22 places, given that you had raised some concerning about</p> <p>23 that in your testimony?</p> <p>24 A. I was not because they thought they already</p> <p>25 had the solution.</p>	<p>112</p> <p>1 THE WITNESS: I am.</p> <p>2 Q. (BY MS. PERALES:) Okay. Now, what feedback</p> <p>3 did you provide to legislators with respect to vote</p> <p>4 harvesting?</p> <p>5 MR. WASSDORF: Same objection.</p> <p>6 Q. (BY MS. PERALES) Are you going to follow the</p> <p>7 advice of Mr. Wassdorf and decline to testify on the</p> <p>8 feedback that you provided to legislators or staff</p> <p>9 about vote harvesting?</p> <p>10 A. I am.</p> <p>11 Q. Next I'll ask you what feedback you provided</p> <p>12 to legislators or staff related to the requirement that</p> <p>13 voters provide an ID number on either their ABBM or</p> <p>14 their mail ballot?</p> <p>15 MR. WASSDORF: Same objection.</p> <p>16 Q. (BY MS. PERALES) Are you going to follow the</p> <p>17 instruction of Mr. Wassdorf and decline to testify on</p> <p>18 the feedback you provided to the legislators about the</p> <p>19 voter ID on mail voting?</p> <p>20 A. I am.</p> <p>21 Q. (BY MS. PERALES:) Okay. What feedback did</p> <p>22 you provide to legislators or staff related to what we</p> <p>23 call drive-thru voting?</p> <p>24 MR. WASSDORF: Same objection.</p> <p>25 Q. (BY MS. PERALES) Are you going to follow the</p>
<p>111</p> <p>1 Q. Okay. So they weren't asking for you help on</p> <p>2 that one?</p> <p>3 A. Correct.</p> <p>4 Q. Were you asked to provide your thoughts on</p> <p>5 the bill language related to voters providing ID</p> <p>6 numbers on either ABBM's or mail ballots?</p> <p>7 A. I was and I was -- my -- I was and I was</p> <p>8 ignored.</p> <p>9 Q. Okay. Is there anything else that you can</p> <p>10 think of in your mind that were part of SB 1 that you</p> <p>11 were asked to provide your feedback on that I haven't</p> <p>12 touched in just the moment or two?</p> <p>13 A. I can't remember, we covered so much. If I</p> <p>14 think of it I'll -- I'll mention it, but right now I</p> <p>15 can't think of thinking else.</p> <p>16 Q. Now with protect to feedback you provided on</p> <p>17 Poll watchers, tell me the field back you Poll</p> <p>18 watchers.</p> <p>19 MR. WASSDORF: I'm going to object on</p> <p>20 the grounds of privilege and ask the witness not to</p> <p>21 testify?</p> <p>22 MS. PERALES: And Mr. Vera, are you</p> <p>23 going to follow the instruction of Mr. Wassdorf not to</p> <p>24 testify on the feedback that you provided legislators</p> <p>25 related to Poll watchers.</p>	<p>113</p> <p>1 instruction of Mr. Wassdorf and not -- and decline to</p> <p>2 testify regarding the feedback that you provided</p> <p>3 legislators about drive-thru voting?</p> <p>4 A. I am.</p> <p>5 Q. (BY MS. PERALES:) Were you asked to provide</p> <p>6 feedback on any of the voter registration provisions of</p> <p>7 SB 1, including for example the requirement that the</p> <p>8 registrar report an ineligible registrant or voter to</p> <p>9 law enforcement?</p> <p>10 A. I was not.</p> <p>11 Q. Were you asked to provide any feedback by</p> <p>12 legislators on the provisions of SB 1 requiring the</p> <p>13 secretary of state to refer any information about</p> <p>14 criminal conduct to the attorney general?</p> <p>15 A. I was not.</p> <p>16 Q. Were you asked to provide any feedback by</p> <p>17 legislators about the provision of SB 1 that requires</p> <p>18 the secretary of state to receive lists of voters</p> <p>19 excused from jury duty for nonresidence?</p> <p>20 A. I was not.</p> <p>21 Q. Were you asked to provide any feedback by</p> <p>22 legislators on the provisions of SB 1 having to do with</p> <p>23 24 hour voting?</p> <p>24 A. I was not.</p> <p>25 Q. Were you asked to provide any feedback by</p>

<p>114</p> <p>1 legislators or staff on the provision of SB 1 having to 2 do with mail ballot drop boxes? 3 A. I was not. 4 Q. Were you asked to provide any feedback by 5 legislators or staff on bill language addressing 6 individuals who bring people to the polls for curbside 7 voting? 8 A. I was not. 9 Q. So if we take the time period leading up to 10 passage of SB 1 at the end of the second special, based 11 on all of your experiences in those sessions, what is 12 your understanding of the source of the language in SB 13 1 about voter assistance in the polling place? 14 A. Yeah, I don't know. I have no idea where it 15 came from, it was not one of my areas of focus. 16 Q. Okay. Same question with respect to the 17 provisions on 24 -- and I'm just going name certain 18 practices that occurred in Harris County. 24 hour 19 voting, mail ballot drop boxes, and drive-through 20 voting, do you know the source of where those ideas 21 came from in the bill? 22 A. No, I don't. 23 Q. Okay. 24 A. The language in the bill on the drive-thru 25 voting, because the language addressed the kind of</p>	<p>116</p> <p>1 ought to provide additional information, like an ID 2 number? 3 A. Senate bill one did not affect those section 4 of the code that dealt with falsifying or forging 5 ABBM's for people that are unaware that their names are 6 being used. That was not changed by SB 1. 7 Q. So do you have any sense of where the new ID 8 requirements came from in -- in terms of who might have 9 proposed it or? 10 A. I don't know. I don't know. 11 Q. Okay. What is your sense of the source of -- 12 of the language on vote harvesting that's in SB 1? 13 Based on your knowledge through the passing of SB 1, do 14 you know where that language came from about vote 15 harvesting, which is advocating in person with a voter 16 in the presence of the ballot in favor of a particular 17 candidate or measure? 18 A. No don't know where that came from. 19 Q. And how about that portion of SB 1, do you 20 know for example who suggested or what the source of 21 the provision is that it's a state jail felony when a 22 person compensates or offers to compensate another 23 person to assist voters? 24 A. I don't know the source of that. 25 Q. Okay. Earlier I had asked you about whether</p>
<p>115</p> <p>1 facility, was almost taken from the federal court in 2 downtown Houston. 3 Q. Okay. 4 A. There was a -- there was a civil action and a 5 judge -- the federal judge rule that language early 6 portion of the code was different from the language in 7 the election day portions of the code. And what I 8 observed is that SB 1 simply took the languages from 9 the election day provide to early voting. So I wasn't 10 part of that process, but that's -- that's what I 11 observed. [stopped] 12 Q. Okay. Thank you. Based on your experience 13 through passage of SB 1, do you know where the -- what 14 the source or the idea or the language was related to 15 voters providing an ID number when sending in either an 16 ABBM or a mail ballot? 17 A. I do not know the source of that language. 18 Q. Now you had raised a concern yourself that 19 there was essentially nonvoters submitting applications 20 for ballot by mail? 21 A. Uh-huh. 22 Q. In the names of others? 23 A. Uh-huh. 24 Q. Do you have any sense of how the bill ends up 25 saying somebody who submits an ABBM or mail ballot</p>	<p>117</p> <p>1 you communicated with the secretary of state's office? 2 A. Uh-huh. 3 Q. Either Keith Ingram or Christina [Atkins] 4 during either the first or the special session? 5 A. Uh-huh. 6 Q. Although, I'm not sure if I asked about the 7 first or the special session, so let me just ask you. 8 Do you remember communicating with anybody from the 9 secretary states office Keith Ingram, Christina 10 [Atkins] about SB 1 or related issues during either the 11 first or second special? 12 A. I clearly remember not communicating with 13 anyone in the SOS office about SB 1 during the regular 14 session or the two special sessions. 15 Q. Okay. What about for example your Poll 16 watcher trainings, do you recall sharing your Poll 17 watcher training PowerPoint with Kieth Ingram -- 18 A. Yes that was different. 19 Q. -- and/or Christina [Atkins]? 20 A. In a -- in a senate state affairs committee 21 hearing they were both present, I was there to testify, 22 and at that point SB 1 was passing, was going to pass, 23 and required a secretary of state to provide poll 24 watcher training as part of new requirements of Senate 25 01. I said to Keith, by the way I've got a</p>

<p>118</p> <p>1 presentation I've been use for years that updates,  2 would you like to see it? So this was back in you  3 know, 2021, and they said I'd love to see it, so I'll  4 just email it to you. Christina said, yeah, copy me  5 too. So I sent them my PowerPoint, the old PowerPoint,  6 pre-SB 1, and sent it by to both of them.  7 Q. Okay. And so would you agree with me that  8 that was related to SB 1 with respect to the provision  9 that would require the secretary state to state to  10 start training poll watchers?  11 A. I would agree that it's relevant to that but  12 it was not an advocacy for that. I wasn't advocating,  13 it was -- it was done deal, SOS was going to have to  14 train Poll watchers and I offered them some -- a head  15 start in the training materials.  16 Q. Okay. Were there any other communications  17 that you had with's either the secretary of state, the  18 AG, or the governor's office during this period of time  19 that you might not classify as advocacy but was  20 communication related or touching on SB one's  21 provisions?  22 A. Let me think.  23 No that was long after that I -- I can't remember  24 any. I cannot remember any other communications.  25 Q. Okay. So would it then be fair to say that</p>	<p>120</p> <p>1 attachment to Exhibit No. 3, the email?  2 A. That's correct.  3 Q. How do I know this is your 2020 training,  4 where can I tell on here?  5 A. I don't know if you can tell from the  6 document or not. Hang on.  7 You can tell because there's nothing  8 in here about having to take the secretary of state's  9 Poll watcher training which was changed in 2021, so on  10 a slide that says before election day, if you look up  11 I'll show you. That slide, the new one would say have  12 to take the secretary of state Poll watcher training  13 also.  14 Q. So you recall making that change to your  15 training after SB 1 passed?  16 A. Yes.  17 Q. Okay. Okay. If Mr. Ingram or Miss Atkins  18 asked you for your 2022 poll watcher training as follow  19 up, would you send it to them?  20 A. Not without checking with [char rest eagle].  21 Q. Did you check with [char rest eagle] about  22 2021 --  23 A. I let her know that I was sending this, yes.  24 Q. [Okay]. So counsel, based on the fact that  25 Mr. Vera shared this document outside the bounds of the</p>
<p>119</p> <p>1 you sent a copy of your Poll worker training  2 PowerPoint?  3 A. Poll watcher.  4 Q. I'm sorry that you for that. Your -- let me  5 ask the question again, would it be fair to say that  6 you sent a copy of your Poll watcher training  7 PowerPoint to Mr. Ingram and Ms. [Atkins] of the  8 secretary of state's office in early September, 2021?  9 A. I think that's probably correct.  10 Q. Okay. Would you mark this as the next Exhibit  11 please?  12 The court reporter has handed you what  13 has been marked deposition Exhibit No. 3 do you  14 recognize this as at least partly an email from you on  15 September second 2021 to Keith Ingram and Christina  16 Atkins attaching your Poll watcher PowerPoint?  17 A. Yeah, I specifically attached the 2020 Poll  18 watcher version, that's correct.  19 (Exhibit No. 4 marked).  20 Q. (BY MS. PERALES:) The court reporter has  21 handed you what has been marked Deposition Exhibit No.  22 4, can you identify this document?  23 A. It appears to be a photocopy of my 2020 Poll  24 watcher training class.  25 Q. Is Exhibit No. 4 what would have been the</p>	<p>121</p> <p>1 Harris county republican party we would respectfully  2 request that counsel produce the 2022 Poll worker  3 training prepared by Mr. Vera?  4 A. Poll watcher.  5 MS. PERALES: Poll watcher training.  6 Poll watcher training prepared by Mr. Vera.  7 MR. GORE: Okay. We have asserted our  8 first amendment privilege with respect to that  9 document. It's contained on the log as well I believe.  10 Mr. Vera has made clear there were changes to that  11 document from the 2020 version. So those -- that new  12 version remains subject to privilege. It hasn't been  13 shared outside the Harris County Republican Party.  14 Mr. Vera has testified that he has not done so, would  15 not do so permission of the Chair of the Harris County  16 Republican Party. So we're -- we maintaining that it  17 is still subject to privilege, including because it  18 contains knew content that hasn't been disclosed  19 outside of the Harris County republican party.  20 MS. PERALES: Now the fact that it has  21 been disclosed doesn't necessarily mean that it's  22 privileged are you -- so -- and -- and thus we would  23 assert that the privilege claim has been waived with  24 respect to Mr. Vera's Poll watcher training from 2022  25 because he has shared externally his 2020 Poll watcher</p>

<p>122</p> <p>1 training. Is it your contention that that the</p> <p>2 differences between the two documents is subject to the</p> <p>3 first amendment privilege.</p> <p>4 MR. GORE: It's our contention that</p> <p>5 the 2020 was also subject to first almost privilege and</p> <p>6 that privilege waived only with respect to the 2020</p> <p>7 document. The 2022 document is a separate document and</p> <p>8 that document remains subject to the First Amendment</p> <p>9 river privilege that has been asserted over that</p> <p>10 document.</p> <p>11 MS. PERALES: Okay.</p> <p>12 Q. MS. PERALES: Mr. Vera earlier in your</p> <p>13 deposition you testified that you weren't sure if your</p> <p>14 email, Microsoft outlook, kept your emails from more</p> <p>15 than a year ago?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And you've testified earlier in the</p> <p>18 deposition that you did have back and forth exchanges</p> <p>19 with either legislators or legislative staff by email,</p> <p>20 in which you were providing feedback on provisions of</p> <p>21 SB 1; is that right?</p> <p>22 A. Yes.</p> <p>23 Q. As part of the process of being involved in</p> <p>24 this case, did you search for those emails in which you</p> <p>25 were providing feedback to legislators or initiating</p>	<p>124</p> <p>1 A. Yes, it does. This looks like the document</p> <p>2 that I mentioned in that previous testimony.</p> <p>3 Q. (BY MS. PERALES:) and what is the date of</p> <p>4 your email to representative [chat on the]?</p> <p>5 A. August 20th, 2021.</p> <p>6 Q. So this is some time before the passage of SB</p> <p>7 1?</p> <p>8 A. Some time during -- it looks like the second</p> <p>9 special session.</p> <p>10 Q. Okay. Do you know who [Tori Mack far land</p> <p>11 is]?</p> <p>12 A. I think at that time [Tory Mcfar land] was on</p> <p>13 the staff of [JCia on the].</p> <p>14 Q. And [Coleen] I believe you mentioned earlier</p> <p>15 in the deposition is your wife?</p> <p>16 A. Correct, uh-huh.</p> <p>17 Q. Okay. And so in this -- in this email</p> <p>18 subpoena is it -- is it fair to say that you're</p> <p>19 alerting representative [jaton] to something that</p> <p>20 you've characterized as an unintended consequence in</p> <p>21 version of SB 1 that was going to be heard in committee</p> <p>22 the following day; is that right?</p> <p>23 A. Yes, ma'am?</p> <p>24 Q. And then representative [on the] responds</p> <p>25 "thank you for sharing and good catch we will work with</p>
<p>123</p> <p>1 conversations with them relevant to provisions of SB 1?</p> <p>2 A. Did not search for any documents in my own</p> <p>3 files.</p> <p>4 Q. Okay.</p> <p>5 A. Are you -- I was given by the attorneys a</p> <p>6 whole set of documents that were produced, one of which</p> <p>7 included a feedback to state rep [hi top's] question to</p> <p>8 me about SB 1 and the language about harvesting.</p> <p>9 Q. Okay. Did you turn over your computer to</p> <p>10 anybody to have them search your emails as part of your</p> <p>11 involvement in this case?</p> <p>12 A. I did not.</p> <p>13 Q. Okay. If your Microsoft Outlook did in fact</p> <p>14 save emails that are older than a year old or two years</p> <p>15 old would your emails going back and forth with the</p> <p>16 legislator be there and -- and your providing feedback</p> <p>17 and having your communications?</p> <p>18 A. I don't know, there -- they should be.</p> <p>19 Q. Okay. Mr. Vera, the court reporter has handed</p> <p>20 you what had been marked Deposition Exhibit number 5 is</p> <p>21 this the email that you were referencing a moment ago</p> <p>22 in which you had an exchange with representative [which</p> <p>23 on ] regarding in person activity with a voter and vote</p> <p>24 harvesting?</p> <p>25 (Exhibit No. 5 marked.)</p>	<p>125</p> <p>1 chairman [me] on an amendment", closed quote?</p> <p>2 A. Uh-huh.</p> <p>3 Q. Okay. Now I know earlier you had suggested</p> <p>4 that maybe this exchange was -- as part of</p> <p>5 representative [on] asking for your feedback, is that</p> <p>6 right?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Do you -- where is the email below</p> <p>9 that, where he asks for your feedback?</p> <p>10 A. Well there's no -- I don't think's an email</p> <p>11 below that, I think it was a phone call from Ms. [Tory]</p> <p>12 asking me -- saying state rep [which on] would like you</p> <p>13 to comment on that aspect SB 1.</p> <p>14 Q. And the aspect being that vote harvesting was</p> <p>15 defined as an in person interaction?</p> <p>16 A. Yes.</p> <p>17 Q. And then you provided your feedback in this</p> <p>18 email; is that right?</p> <p>19 A. That's correct.</p> <p>20 Q. And then representative [chance on] responds</p> <p>21 to you?</p> <p>22 A. Uh-huh.</p> <p>23 Q. And then, it sort of cut off at the top, but</p> <p>24 it looks like you may have taken that exchange and then</p> <p>25 forwarded it to chair [seeing fell] and some others?</p>

<p style="text-align: right;">130</p> <p>1 A. Exhibit number 7 looks like an automated 2 reply from the office of Senator Bob [Hall] to the 3 chair of Harris County republican party. 4 Q. Okay. Identify number 8 for me? 5 A. Exhibit number 8 appears to be automated 6 reply From officer of senator donna [carpal] to the 7 chair Harris County Republican Party. 8 Q. And can you identify nine for me? 9 A. Exhibit number 9 appears to be automated 10 reply office of Senator Bettencourt to the chair of the 11 Harris County republican party. 12 Q. And is the state on all three exhibits August 13 10th of 2021? 14 A. It is. 15 Q. And they're all at about 4:30 in the morning, 16 yes? 17 A. Yeah, between 4:30 and 4:45, yup. 18 Q. Okay. Do you know what email these Exhibits 19 were responding to? 20 A. I have no idea. 21 Q. Okay. Does the date August 10th, 2021 in 22 anyway refresh your recollection about whether this 23 might have been related to communications on SB 1? 24 A. It does not. I -- that was in the end of 25 second special session but no, I can't tell.</p>	<p style="text-align: right;">132</p> <p>1 Q. Okay. Okay. Is there any part of SB 1 as it 2 was passed by the legislature that you believe 3 responded to your concern about the vote harvesting 4 being defined as an in person interaction? 5 A. I don't remember for certain because it's a 6 long bill, but I do know that they did not affect the 7 section of the code already established for dealing 8 with the concerns I had of people stealing others 9 identities to vote by mail, they did -- they left that 10 alone. 11 Q. Is there any part of SB 1 as it was passed 12 that you think tracks very closely with communications 13 that you made with legislators? 14 A. Oh goodness -- 15 Q. Either something that you initiated or 16 something that was the product of the back and forth 17 where you're providing feedback? 18 A. Well, I've already told you that I was -- 19 after the previous election I was very concerned about 20 the way Poll watchers were obstructed. So some of the 21 Poll watcher improvements certainly tracked with my 22 concerns, okay? I told you that I had -- I had after 23 the 2020 November election, I had gone public with many 24 serious concerns about drive-thru voting and so that 25 was reflected. So I think you know at least Poll</p>
<p style="text-align: right;">131</p> <p>1 Q. Okay. Thank you. 2 MEMO: [Come back mark] Exhibits. 3 Q. Did you have any communications with Senator 4 Hall that related in any way to SB 1? 5 A. Oh goodness, I don't remember. 6 Q. Okay. Same question with snort Donna 7 [Campbell] did you have any communications with Donna 8 Campbell about SB 1? 9 A. I don't remember. The only reason I -- I 10 hedged on Senator Hall he was very good when I did 11 public testimony before the senate committee on state 12 affairs of have asking me many follow up questions. So 13 I don't know if I may have sent him an email or not. 14 Q. SB 1 was heard in Senate state affairs on 15 August 9th, 2021? 16 A. Okay. 17 Q. And since these auto replies are coming from 18 the wee hours of August 10th? 19 A. Uh-huh. 20 Q. Is -- is it possible that you remember 21 sending some kind of follow up communication to various 22 senators following your testimony? 23 A. I don't remember doing that. And if I'd had 24 it would have come from my email address, not the party 25 chairs.</p>	<p style="text-align: right;">133</p> <p>1 watcher -- poll watchers were better protected, the 2 issue of voting as it was with the aberration in 3 drive-thru was addressed. And they did not mess with 4 the clear language of mail ballot harvesting that was 5 not involving personal interaction. So those three 6 things for sure. 7 Q. Do you recall having conversations with 8 legislators around making it a -- an offense to have a 9 paid person assist a voter in voting by mail? 10 A. I didn't have any such discussion with 11 legislators. 12 Q. Do you have to an understanding of what need 13 was meant to be addressed by that? 14 A. I have an understanding from what I've been 15 told, having -- sitting around the committee hearing 16 rooms talking to others but I did not initiate. 17 Q. Okay. And you don't have a first hand 18 acknowledgment of the reasons for that? 19 A. I do not, nope. 20 Q. Do you have any first hand knowledge about 21 the reasons for prohibiting in person interaction with 22 a voter in the presence of the mail ballot with -- 23 while advocating for a particular candidate or outcome? 24 A. No, I was not, I was not privy to those 25 discussion or this original complaints.</p>

<p>138</p> <p>1 vote by mail, they don't remember which -- which number 2 they used when they first registered, put them both. 3 Q. Were there also voters who hadn't put a 4 number when they registered? 5 A. It's possible. I -- I don't know that -- I 6 don't know that, it could be possible. I don't know 7 that. 8 Q. If a voter had lived at the same address for 9 example since pre-HAVA Help America Vote Act? 10 A. Uh-huh. 11 Q. It's possible that their registration, which 12 would have occurred pre-200 wasn't accompanied by an ID 13 number at all, isn't that right? 14 A. It's possible. 15 Q. And they would be over 65 and just have 16 stayed put the whole time? 17 A. Uh-huh. 18 Q. Do you recall hearing from paid staff of the 19 party that there were voters in that situation that 20 they hadn't provide any number -- had not provided any 21 number at all with their original registration because 22 it had been a long time ago? 23 A. I had not heard that specifically. 24 Q. Okay. But you did hear about voter putting 25 one number and Harris county having a different number,</p>	<p>140</p> <p>1 be able to resolve some of the issues that have come up 2 with respect to invocation of either First Amendment 3 privilege or legislative privilege that are not 4 resolved, so with that caveat I'm going to pass the 5 witness? 6 MR. GORE: If I can just say on the 7 record, we appreciate where you're coming from. We 8 obviously object to holding the deposition open. We 9 think all the privilege assertions have been 10 appropriate. We understand that you are reserving the 11 right to keep the deposition only -- open only with 12 respect to those privilege issue, is that -- is that 13 correct? 14 MS. PERALES: Yes. That's right, and 15 when you say those privilege issues then we can go back 16 and fort all day. When you say those privilege issues 17 it's specifically the -- the places today where the 18 within has declined to testify because of either 19 legislative privilege or because of first amendment 20 privilege. 21 MR. [GORE]: Thank you for 22 clarification. We stand on our objection, but we 23 appreciate the clarification. 24 MS. PERALES: Would you like to switch 25 seats.</p>
<p>139</p> <p>1 and so the -- the Harris County couldn't match it? 2 A. I heard that from the people on our signature 3 verification committee. 4 Q. Did you hear that from any of the party staff 5 that were getting questions from voters? 6 A. Yes, yes. 7 MS. PERALES: Can we have a five 8 minute break? 9 THE REPORTER: Okay. Going off the 10 record at 2:49 p.m. 11 (Off the record.) 12 THE REPORTER: Back on the record at 13 3:01 p.m. 14 Q. (BY MS. PERALES:) Mr. Vera, are there any 15 topics or is there any information that you know about 16 relevant to SB 1 that you discussed with Mr. Gore that 17 you haven't talked about today in the deposition, 18 either because I didn't ask you or for any other 19 reason? 20 A. I can't think of anything, give me a second. 21 Nope, nope. 22 Q. Okay. So I'm going to pass the witness but 23 I'm not going to conclude the deposition or conclude my 24 questioning of the witness. We're going to leave the 25 deposition open at the end in order to allow for us to</p>	<p>141</p> <p>1 MS. HOLMES: Sure. 2 Cross [examination]. 3 Q. Good afternoon, Mr. Vera, we met earlier but 4 my name's Jennifer Holmes, I represent the hall 5 plaintiffs. And I have just a handful of kind of 6 clarifying questions for you. It shouldn't take too 7 long. You testified that you're the chair of the ballot 8 security committee for the Harris County republican 9 party, correct? 10 A. Correct. 11 Q. And who else is on the ballot security 12 committee? 13 A. The ballot security committee is made up of 14 members that are appointed by the Senate district 15 chairs of each Senate district in Harris County. And 16 based on the bylaws of the party, Senate districts can 17 appoint one or two members to ballot security, 18 depending upon the size of the district. There are 19 three appointees by the party chair and she's allowed 20 to appointment two others. 21 Q. And so that was Cindy [seeing] who appointed 22 you and two others to the committee? 23 A. Yes, for this current term, uh-huh. 24 Q. And what are the names of the two other 25 members?</p>

<p>158</p> <p>1 aren't they?</p> <p>2 MS. PERALES: Yes, but they're also</p> <p>3 leading. I don't mean to stop your roll, so if you have</p> <p>4 more.</p> <p>5 MR. GORE: Okay. Thank you.</p> <p>6 Q. (BY MR. VERA.) Okay. I need to say one more</p> <p>7 -- so Mr. Vera, if you believe that these communication</p> <p>8 might become public, would that chill your expression</p> <p>9 in these emails?</p> <p>10 A. It would.</p> <p>11 Q. And if these emails became public in this</p> <p>12 litigation or otherwise turned over to plaintiffs,</p> <p>13 would you be less likely to engage in that full and</p> <p>14 frank communication in the future?</p> <p>15 A. In that format, yes.</p> <p>16 Q. And if you were subject to questioning about</p> <p>17 internal conversations you had about the Harris County</p> <p>18 republican party would that also make you less likely</p> <p>19 to engage in those kinds of conversations in the</p> <p>20 future?</p> <p>21 A. It would.</p> <p>22 Q. Would that be true for communications that</p> <p>23 are not reduced to email or writing?</p> <p>24 A. Yes.</p> <p>25 Q. Thank you, Mr. Vera. I have no further</p>	<p>160</p> <p>1 So that's -- that's how we've proceeded in the case,</p> <p>2 and we think that that's a fulsome and -- and complete</p> <p>3 collection and production consistent with the Harris</p> <p>4 County republican party's obligations under the rules.</p> <p>5 MS. PERALES: I believe that Mr. Vera</p> <p>6 was designated as a custodian though for records for</p> <p>7 Harris County in this case, and so after having</p> <p>8 designated him as a custodian, it -- it would be</p> <p>9 plaintiff's position that it is incumbent then on GOP</p> <p>10 defendant interveners to search what he has and it</p> <p>11 appears that it hasn't extended to what he has. It's</p> <p>12 not even clear Mr. Vera has a Harris County GOP email</p> <p>13 address since his -- most of his email were coming from</p> <p>14 his business address that -- that we have today. So if</p> <p>15 we have to kind of leave the dispute where it is then</p> <p>16 we'll -- we'll follow up more on that but I just wanted</p> <p>17 to know if -- if there was anything more to our</p> <p>18 positions to -- to presented today.</p> <p>19 MR. GORE: I'll just put one more</p> <p>20 thing on the record, we certainly did identify Mr. Vera</p> <p>21 as a document custodian. In the same correspondence we</p> <p>22 said we would look -- search official files of the</p> <p>23 committee and the official committee email addresses.</p> <p>24 We do have within the files at least documents related</p> <p>25 to the ballot security committee and others, so we</p>
<p>159</p> <p>1 questions?</p> <p>2 MS. PERALES: Before we go off the</p> <p>3 record I have just one more thing, which is to ask</p> <p>4 counsel for Mr. Vera or for the defendant interveners</p> <p>5 if you plan to conduct a search for responsive</p> <p>6 documents of Mr. Vera's email and his computer, because</p> <p>7 I believe he's testified that he does have relevant and</p> <p>8 responsive documents, but hasn't searched and hasn't</p> <p>9 given over his computer to be searched. And I'd just</p> <p>10 like to know if you're -- if you -- if counsel would</p> <p>11 agree to that prior to the dead line, or how we should</p> <p>12 proceed?</p> <p>13 MR. GORE: Well I -- I can speak only</p> <p>14 for the intervener defendants and Harris County</p> <p>15 Republican party, and I'll Mr. [Taylor] speak for</p> <p>16 Mr. Vera. I think we've been really up front</p> <p>17 throughout our in discover correspondence that we only</p> <p>18 have custody and control over Harris county republican</p> <p>19 party email addresses and document, those were the</p> <p>20 email a addresses and documents we searched to respond</p> <p>21 to the discovery requests that were propounded on the</p> <p>22 Harris county republican party, and we have made</p> <p>23 productions and created a privilege log off of that</p> <p>24 production and that collection. We didn't receive any</p> <p>25 objection to that scope of collection or production.</p>	<p>161</p> <p>1 could search through those, but we've never represented</p> <p>2 that we would search through Mr. Vera's personal email,</p> <p>3 and that's outside the custody and control of the</p> <p>4 committee. I just I put that on there to complete the</p> <p>5 record and I think probably wouldn't engage on this</p> <p>6 separately unless Mr. Taylor has something he'd like to</p> <p>7 add.</p> <p>8 MR. TAYLOR: I mean, like I've said</p> <p>9 before I -- I don't represent a party, I just represent</p> <p>10 a non party witness. Correct me if I'm wrong, but I</p> <p>11 was not aware and don't believe currently that there's</p> <p>12 any subpoena that's been issued and on Mr. Vera in his</p> <p>13 individual capacity to produce any documents so I have</p> <p>14 not searched documents that Mr. Vera might have access</p> <p>15 to individually. Obviously, if there's a subpoena and</p> <p>16 it's appropriate and you know we'll -- we'll comply</p> <p>17 with our obligations, but you're catching me flat</p> <p>18 footed because this is the -- the first I've heard</p> <p>19 about it.</p> <p>20 MS. PERALES: Okay, thank you. All</p> <p>21 right. We're going to hold the deposition open, but I</p> <p>22 believe the questioning for today and the conversation</p> <p>23 for today has concluded.</p> <p>24 THE REPORTER: I just need to get on</p> <p>25 the record if there's any further stipulations you want</p>